

LEG. FINANCE - BILLS 1975 - 1976 592
SB 654 cont., thru SSSB 658 592

Fiscal Note
HCS for CS for SB 499

1. Two mandatory meetings to discuss findings and recommendations, plus one additional meeting at call of the Chairman

Travel expense - four members: \$1,400

Ten days per diem each - four members: \$2,000

2. Public hearings after published notice of preliminary findings and recommendations

Travel expense - four members: \$2,100

Ten days per diem each - four members: \$2,000

3. Secretarial, postage and telephone expense - four members:

\$600

4. Publication expense of preliminary findings and recommendations:

\$750

5. Report preparation and duplication expense:

\$400

Total

\$9,250

The Legislature of the State of Alaska
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 654---"An Act relating to statewide coordination

Title: development and planning for the delivery of social services.

Requested by: _____ Date: 3/1/76

Return Date Requested: _____

Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES			109,400			
200 TRAVEL			10,500			
300 CONTRACTUAL			61,400			
400 COMMODITIES			2,300			
500 EQUIPMENT			4,500			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			188,100			

B. FUNDING: (Thousands of dollars)

GENERAL FUND			66,500			
FEDERAL FUNDS			121,600			
OTHER			-			

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	6/	/	/	/
MAN MONTHS (P./T.)	/	/	72/	/	/	/

III. ANALYSTS (See Fiscal Note Preparation Instructions, Section III)

The required Personnel would be a chief Planner, 1 Planner, 1 Assistant Planner and 3 clerical. Travel and computer time are necessary for the development of the program. It will be necessary to print notices of meetings and hearings. Rentals of space would be necessary for personnel.

IV. ATTACHMENTS

V. DATE: 3/1/76

PREPARED BY: _____

Freda M. Borchick
Freda M. Borchick

Original: Legislative Finance
cc: Budget and Management

Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

Eugene A. Smith
Eugene A. Smith, H&SS Finance Officer



Alaska State Legislature

House

JUNEAU ALASKA

CHAIRMANS LETTER ~~LETTER OF INTENT~~

It is the intent of the House HESS Committee that SB 654 am give the Department of Health and Social Services the flexibility to have the public hearings and meetings within the first half of the fiscal year, rather than in the first quarter. The Committee feels that the time restraint would not allow the Dept. to prepare, recruit, select and train staff.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

COMMITTEE REPORT

2/16/76

SENATE

Mr. President:

Date _____

allowing a The Committee on FINANCE has had SB 655 deduction for federal income taxes paid on income from Alaska sources under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Introduced: 2/16/76
Referred: Finance

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 655

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act allowing a deduction for federal income taxes
7 paid on income from Alaska sources; and providing for
8 an effective date."

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

10 * Section 1. AS 43.20.031 is amended by adding a new subsection to read:

11 (h) In computing the tax under this chapter, the taxpayer is en-
12 titled to deduct from the adjusted gross income the amount of federal
13 income tax paid in the last taxable year on income from Alaska sources.
14 This amount is to be adjusted for refunds received, and additional taxes
15 assessed after April 15 of that year.

16 * Sec. 2. This Act takes effect January 1, 1978.
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ALASKA STATE LEGISLATURE

NINTH Legislature ... SECOND Session

SENATE BILL NO. 655

By CHANCE

"An Act allowing a deduction for federal income taxes paid on income from Alaska sources; and providing for an effective date."

Income deductions

Introduced in the Senate 2/16, 1976

HISTORY IN THE SENATE

19 76

2 16

Read first time and referred to Committee on

Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

Introduced: 2/16/76
Referred: Finance

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 655

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

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Introduced: 2/16/76
Referred: Finance

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BY CHANCE

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4 NINTH LEGISLATURE - SECOND SESSION

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STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH S - JUNEAU 99811

February 23, 1976

The Honorable Bill Ray
Chairman
Senate Finance Committee
Alaska State Legislature
State Capitol Building
Juneau, Alaska

Re: Senate Bill No. 655


Dear Senator Ray:

Senate Bill No. 655, an Act allowing a deduction for federal income taxes paid on income from Alaska sources was introduced in the Senate on February 16, 1976 and was referred to the Senate Finance Committee.

For the consideration of the Senate Finance Committee, I am enclosing a Fiscal Note and accompanying memorandum prepared by Mr. Gary L. Jenkins, Director, Audit Division, Department of Revenue concerning effect on income tax revenues.

If you or any members of the Senate Finance Committee have any questions on the material submitted, please telephone the writer at 465-2397 and I will contact Mr. Jenkins for further material or testimony at a hearing.

Very truly yours,



R. D. Stevenson
Special Assistant

Enclosure

cc: The Honorable Genie Chance
Sponsor, Senate Bill No. 655

Gary L. Jenkins
Director, Audit Division
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 655
 Title: Deduction for fed. income taxes paid on income from AK sources, eff. date.
 Requested by: R. D. Stevenson Date: 2-18-76
 Return Date Requested: 2-20-76
 Agency: Revenue Program: Audit

II. FISCAL DETAIL

Budget Request Unit(s) Affected: None

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	None	None	None	None	None	None

B. FUNDING: (Thousands of dollars)

GENERAL FUND	None	None	None	None	None	None
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

N/A

IV. ATTACHMENTS

See attached

V. DATE: 2-20-76 PREPARED BY: *Gary Jenkins*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

MEMORANDUM

State of Alaska

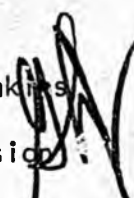
TOR. D. Stevenson
Assistant to the Commissioner
Department of Revenue

DATE: February 20, 1976

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins
Director
Audit Division



SUBJECT: Senate Bill 655

This bill would allow the deduction of federal income taxes paid on computing taxable income for Alaska purposes. The impact of this legislation would be rather significant. Anticipating that the average Alaska taxpayer will have a taxable income of \$12,000 and using the FY 76 anticipated receipts, the State would experience a loss of individual income tax revenue of approximately \$19,500,000. In the Corporate Income Tax area where the total anticipated receipts is \$26,670,000 for FY 76, there would be a loss of approximately \$10,700,000 or a total loss of \$30,200,000. In 1978 the revenue loss should be 10-20% greater than the above and escalate up in subsequent years.

This type of legislation would in essence constitute a major cut in the Alaska tax rate. This also goes against the basic philosophy of most taxation methods where a lower level taxing authority would allow as a deduction the taxes paid to the next higher level. In most taxing situations, including our current one, this operates in the reverse.

If the Legislature is interested in reducing the Alaska Income Tax rate, I would suggest they do it by a direct change in the rates rather than adding all kinds of special credits or deductions to the current law.

GLJ/bjm

Attachment

Introduced: 2/16/76
Referred: Finance

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 655

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

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STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5 - JUNEAU 99811

February 23, 1976

The Honorable Bill Ray
Chairman
Senate Finance Committee
Alaska State Legislature
State Capitol Building
Juneau, Alaska

Re: Senate Bill No. 655

Dear Senator Ray:

Senate Bill No. 655, an Act allowing a deduction for federal income taxes paid on income from Alaska sources was introduced in the Senate on February 16, 1976 and was referred to the Senate Finance Committee.

For the consideration of the Senate Finance Committee, I am enclosing a Fiscal Note and accompanying memorandum prepared by Mr. Gary L. Jenkins, Director, Audit Division, Department of Revenue concerning effect on income tax revenues.

If you or any members of the Senate Finance Committee have any questions on the material submitted, please telephone the writer at 465-2397 and I will contact Mr. Jenkins for further material or testimony at a hearing.

Very truly yours,



R. D. Stevenson
Special Assistant

Enclosure

cc: The Honorable Genie Chance
Sponsor, Senate Bill No. 655

Gary L. Jenkins
Director, Audit Division
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 655
 Title: Deduction for fed. Income taxes paid on income from AK sources, eff. date.
 Requested by: R. D. Stevenson Date: 2-18-76
 Return Date Requested: 2-20-76
 Agency: Revenue Program: Audit

II. FISCAL DETAIL

Budget Request Unit(s) Affected: None

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	None	None	None	None	None	None

B. FUNDING: (Thousands of dollars)

GENERAL FUND	None	None	None	None	None	None
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

N/A

IV. ATTACHMENTS

See attached

V. DATE: 2-20-76 PREPARED BY: *Gay Jenkins*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

MEMORANDUM

State of Alaska

TOR. D. Stevenson
Assistant to the Commissioner
Department of Revenue

DATE: February 20, 1976

FILE NO:

TELEPHONE NO:

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Audit Division

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GLJ/bjm

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STATE OF ALASKA

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OFFICE OF THE COMMISSIONER

POUCH S - JUNEAU 99811

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THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

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200 TRAVEL						
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600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	None	None	None	None	None	None

B. FUNDING: (Thousands of dollars)

GENERAL FUND	None	None	None	None	None	None
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

N/A

IV. ATTACHMENTS

See attached

V. DATE: 2-20-76 PREPARED BY: Gary Jenkins

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

MEMORANDUM

State of Alaska

TOR. D. Stevenson
Assistant to the Commissioner
Department of Revenue

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TELEPHONE NO:

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GLJ/bjm

Attachment



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James O. Smith
Signature of Camera Operator

2/8/90
Date

COMMITTEE REPORT

SENATE

3/18/76

Mr. President:

Date _____

The Committee on Finance has had SS SB 658 establishing the Alaska Community Colleges under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

Chairman

COMMITTEE REPORT

XXX&XX&

3/8/76

SENATE

****FINANCE****

Mr. President:

Date

3/18/76

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SS SB 658 establishing the Alaska Community Colleges under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other" _____

Members signing the Majority report:

<u>Brad Bradley</u>	<u>no pass</u>	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>Collitta</u>	recommends: <u>Do not pass</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

Chairman

Introduced: 3/8/76
Referred: Health, Education
and Social Services and
Finance

1 IN THE SENATE

BY CROFT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. It is the purpose of this chapter to
13 establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to,

28 (1) courses and curricula that lead to associate degrees, or
29 that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical
5 skills in a chosen trade or occupation and lead either to a degree or a
6 certificate of completion;

7 (3) general education and public interest courses designed to
8 meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this section.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited to
17 off-campus study and credit and noncredit courses that may or may not
18 lead to associate, baccalaureate or advanced degrees through its rural
19 education affairs division.

20 ARTICLE 2. GOVERNANCE.

21 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There is
22 established a state corporation to be called the Alaska Community
23 Colleges. It may in that name

24 (1) sue and be sued;

25 (2) receive, hold and manage real and personal property;

26 (3) contract and be contracted with;

27 (4) adopt, use and alter a corporate seal;

28 (5) adopt bylaws and administrative rules for the management
29 and operation of the community colleges, extension centers and outreach

1 programs;

2 (6) accept grants or loans from and contract with the federal
3 government, the state, or its political subdivisions, and to that end
4 comply with the provisions of federal, state, or local programs when
5 necessary;

6 (7) do and have done all matters necessary for the purpose
7 of any function set out in this chapter.

8 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
9 Colleges shall be governed by a Board of Governors consisting of nine
10 members appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session. One of the members
12 of the board shall be a member of the faculty and one shall be a member
13 of the student body of the Alaska Community Colleges. These two board
14 members shall be appointed by the governor in accordance with sec. 60
15 of this chapter.

16 (b) Board members shall be citizens of the United States and
17 residents of the State of Alaska for one year before appointment and
18 during the board member's term of office.

19 (c) One board member each shall be residents of Southeastern
20 Alaska, Western Alaska and Northern Alaska, respectively; two board
21 members shall be residents of Southcentral Alaska. However, this pro-
22 vision for the geographical distribution of board membership does not
23 apply to the appointment of faculty and student board members.

24 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
25 board member shall be appointed by the governor from among a list of
26 nominees submitted to him comprised of the names of at least three but
27 not more than five full-time community college, extension center or
28 outreach program faculty members. These faculty members shall be nomi-
29 nated from among the full-time faculty members of the community

1 colleges, extension centers and outreach programs in the manner pre-
2 scribed by the board by regulation. A full-time faculty member is one
3 who is teaching at least nine credit hours a semester and who has taught
4 in the Alaska Community Colleges for at least two academic years.
5 Failure of the faculty board member to maintain full-time faculty status
6 during his term of office results in forfeiture of that office. For-
7 feiture occurs on certification by the principal campus administrative
8 officer at the community college where the faculty member is or has been
9 teaching that the faculty member is no longer employed full time.

10 (b) The student member of the board shall be appointed from a
11 list of nominees consisting of the names of two students from each cam-
12 pus of the Alaska Community Colleges, and one from each extension center
13 or outreach program, after an election is held at each campus, center
14 or program site. The elections shall be conducted under rules estab-
15 lished by the Governor's Commission on the Involvement of Young People
16 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
17 the requirements of sec. 50(b) of this chapter, the student board mem-
18 ber appointed under this section must

19 (1) have attended one of the Alaska Community Colleges, an
20 extension center or outreach program as a full-time student for at
21 least one academic year before appointment; and

22 (2) be enrolled as a full-time student at one of the Alaska
23 Community Colleges, extension centers or outreach programs at the time
24 of appointment.

25 (c) Failure of the student board member appointed under (b) of
26 this section to remain enrolled as a full-time student at one of the
27 Alaska Community Colleges, extension centers or outreach programs dur-
28 ing his term results in forfeiture of that office. The forfeiture
29 occurs upon certification by the registrar that the student board

1 member is no longer a full-time student. The governor shall appoint a
2 successor from among the list of nominees submitted to him under (b) of
3 this section at the time of original appointment.

4 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
5 faculty and student board members, members of the Board of Governors
6 serve for seven-year terms. The terms of the initial appointees shall
7 be staggered in such a manner that the term of office of one board
8 member expires each year for seven years.

9 (b) The term of office of the faculty board member is two years
10 and of the student board member, one year.

11 (c) Vacancies shall be filled in the same manner as original
12 appointment.

13 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice-
14 chairman and those other officers the board considers necessary shall be
15 elected from among the members of the board for a one-year term. No
16 member of the board may serve as chairman for more than two consecutive
17 one-year terms.

18 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
19 its own rules of procedure. A quorum is a majority of the members of
20 the board. The votes of the board members shall be recorded, and
21 effective action requires the affirmative vote of a majority of the
22 board members. No board member may, with respect to a matter before the
23 board, vote for or on behalf of, or in any way exercise the vote of,
24 another member of the board.

25 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least once
26 quarterly at a time and place determined by the chairman, and at other
27 times and places as the chairman or a majority of the members of the
28 board consider necessary. However, 30 days notice is required for all
29 regular meetings and 10 days notice is required for special meetings of

1 the board, its committees or subcommittees called under the bylaws or
2 rules of procedure of the board. Emergency meetings may be called
3 without notice.

4 (b) Insofar as possible, board meetings shall be held at community
5 college campuses, in rotation, so that the board meets at each community
6 college at least once in three years. The board shall provide adequate
7 facilities for members of the public to attend the meetings of the
8 board, its committees or subcommittees.

9 (c) The provisions of AS 44.62.310 apply to meetings of the board.
10 All meetings of the board, its committees or subcommittees, are open to
11 the public and press except as otherwise provided in AS 44.62.310(c).
12 The findings of an executive session shall be made a part of the record
13 of the proceedings of the board. All records of the meetings and pro-
14 ceedings shall be open to inspection by the public and the press at
15 reasonable times.

16 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
17 serve without compensation but are entitled to per diem and travel ex-
18 penses as may be authorized by law for boards and commissions.

19 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
20 shall

21 (1) appoint the chancellor of the Alaska Community Colleges
22 by a majority vote of all members of the board;

23 (2) fix the compensation of the chancellor, faculty and other
24 officers and employees of the colleges;

25 (3) confer degrees appropriate to the community colleges that
26 the board may determine and prescribe;

27 (4) have the care, control and management of all the real and
28 personal property and all funds of the colleges; and keep or have kept a
29 complete, accurate record of all funds received and disbursed;

1 (5) keep or have kept a correct and easily understood record
2 of the minutes of every meeting and all acts done by the board in the
3 pursuit of its duties;

4 (6) establish the policies within which the principal campus
5 administrative officers of the community colleges, the associated ex-
6 tension centers or outreach programs, and the community college councils
7 manage and control the operations of each community college, extension
8 center or outreach program;

9 (7) meet regularly with the community college councils to
10 determine the needs of each college, center or program.

11 (b) The board may

12 (1) adopt reasonable rules, orders and plans, with reasonable
13 penalties, for the good government of the colleges and for the regula-
14 tion of the board;

15 (2) determine and regulate the course of instruction in the
16 colleges with the advice of the chancellor, the principal campus admin-
17 istrative officers, and the community college councils at each college,
18 center or program.

19 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
20 any officer or employee of the colleges by a majority vote of all of the
21 members of the board when in its judgment the good of the Alaska Com-
22 munity Colleges requires it.

23
24 ARTICLE 3. ADMINISTRATION.

25 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
26 the Board of Governors and of the Alaska Community Colleges is the
27 chancellor. His primary responsibility is the administration of the
28 community colleges, extension centers and outreach programs statewide,
29 working with the vice-chancellor for each division and the principal
administrative officers for each community college, extension center or

1 outreach program.

2 (b) In addition to his responsibility for the administration of
3 on-campus programs for the community colleges and extension centers, the
4 chancellor shall develop and administer off-campus educational delivery
5 systems and outreach programs for rural areas of the state.

6 (c) The chancellor shall establish two administrative divisions
7 within the colleges: an urban division and a rural education affairs
8 division. The urban division consists of the community colleges and
9 extension centers designated by the board and that are located in the
10 major urban centers of, or within any other geographically identifiable
11 and self-contained region in, the state. The rural education affairs
12 division consists of the community colleges, extension centers and out-
13 reach programs designated by the board and that are located outside the
14 major urban centers of the state. The administrator for each division
15 shall be a vice-chancellor.

16 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
17 chancellor shall

18 (1) appoint the vice-chancellor for each division and, on
19 recommendation of the appropriate vice-chancellor, the principal admin-
20 istrative officer for each community college, extension center on
21 recommendation of the community college council for each, subject to the
22 approval of the board;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) give general direction to the work of the divisions,
26 colleges, centers and programs in accordance with the policies estab-
27 lished by the board;

28 (4) in concert with the principal administrative officers,
29 coordinate the divisions, community colleges, extension centers and

1 outreach programs and other activities of the Alaska Community Colleges.

2 (b) The chancellor may appoint the faculty and other officers and
3 employees of each community college, extension center or outreach
4 program, on recommendation of the vice-chancellor and the principal
5 administrative officer of each; however, with the approval of the board,
6 the chancellor may delegate the authority to appoint faculty, officers
7 and employees to the vice-chancellor or to the principal administrative
8 officer of each college, center or program.

9 Sec. 14.41.160. SUSPENSION, EXPULSION OF STUDENTS. The authority
10 to suspend and expel a student for misconduct or other cause or to re-
11 instate him is vested solely in the chancellor; however, the chancellor
12 may delegate this authority to the principal campus administrative offi-
13 cer of each community college.

14 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
15 istrative officer for each community college is a dean or director. He
16 is responsible directly to the chancellor and to the community college
17 council for the administration of the college. Subject to the approval
18 of the board, the dean or director shall be appointed by the chancellor,
19 on recommendation of the vice-chancellor and the council for the college
20 which the dean or director will administer.

21 (b) Each extension center or outreach program, whether estab-
22 lished, operated or maintained by the board, or in cooperation with the
23 Board of Regents of the University of Alaska, or a school district,
24 municipality, an agency of the federal government or a nonprofit cor-
25 poration or association, is under the direction of an administrator
26 appointed by the chancellor, on recommendation of the vice-chancellor,
27 in the manner prescribed by the board by regulation, or as prescribed in
28 the cooperative agreement.

29 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The

1 board may establish statewide or central service organizations for the
2 community colleges, extension centers and outreach programs. Regional
3 service centers also may be established to administer the outreach
4 programs and to provide postsecondary educational services to the resi-
5 dents of the rural areas of the state in each service area for which a
6 regional center is established. In a service area where a community
7 college or an extension center is located, the regional service center
8 shall be integrated with the operation of the community college or
9 extension center.

10 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
11 members of the faculty and administrative staff of each community
12 college, extension center and outreach program are members of the fac-
13 ulty and administrative staff, respectively, of the Alaska Community
14 Colleges for all purposes.

15 (b) The chancellor is responsible for prescribing the qualifi-
16 cations, and for establishing the procedure for appointment, of all
17 community college and extension center faculty and administrative staff,
18 whether part or full-time.

19 (c) A community college, extension center or outreach program is
20 concerned with the total educational needs of the area it serves and may
21 coordinate and facilitate all public postsecondary and continuing
22 education in the area. Selected upper division and graduate courses
23 offered by the University of Alaska through its various divisions may be
24 coordinated through the principal administrative officer of a community
25 college, extension center, or an outreach program.

26 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
27 college council, the majority of whose members shall be persons served
28 by the programs developed and administered under this chapter, shall be
29 established for each community college. The council shall consist of

1 not less than seven nor more than 15 members who shall be broadly
2 representative of the area served, including faculty and student repre-
3 sentation. A council may be appointed for an extension center and for
4 each regional service center, when the center is not integrated with a
5 community college or extension center, at the discretion of the board.

6 (b) The board, by regulation, shall prescribe the method of
7 selection of members of community college councils, prescribe the term
8 of office, procedure for removal and for the filling of vacancies on the
9 councils. Each community college council shall adopt bylaws which shall
10 provide for the election of officers, establishment of meeting schedules
11 and meeting notices, rules of procedure and quorums.

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

16 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
17 apply to meetings of community college councils in the same manner and
18 to the same extent applicable to meetings of the Board of Governors, its
19 committees and subcommittees.

20 (e) A community college council acts in a policy-making capacity
21 with respect to the principal administrative officer of each community
22 college, coordinator of an extension center or administrator of an out-
23 reach program. It acts in an advisory capacity to the chancellor, the
24 appropriate vice-chancellor, and to the Board of Governors.

25 (f) The community college council serves as a communications link
26 between the area served by the community college, extension center or
27 outreach program and the Alaska Community Colleges. Requests and
28 recommendations by a community college council shall be answered in
29 writing by the addressee.

1 (g) A community college council shall review and make recommenda-
2 tions

3 (1) concerning the selection of the principal administrative
4 officer of the community college, extension center or outreach program;

5 (2) concerning the proposed program budget for the community
6 college, extension center or outreach program for each fiscal year
7 before it is submitted to the statewide administration and to the Board
8 of Governors; and

9 (3) relating to the general operation and management of the
10 community college, extension center or outreach program, including but
11 not limited to,

12 (A) planning for, and review of, the types and uses of
13 instructional programs and activities and types and uses of facili-
14 ties that the community college, extension center or outreach
15 program should provide to meet area needs;

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

18 (C) the means of gaining support for the college's pro-
19 gram in that area.

20 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

21 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
22 tinuing education is a statewide responsibility, the colleges, as the
23 need arises, may either independently establish, operate and maintain,
24 or enter into a cooperative agreement with an agency of the federal
25 government, a school district, a municipality or a nonprofit corporation
26 or association for the establishment, operation and maintenance of,
27 appropriate public postsecondary and continuing educational programs and
28 activities in community colleges, extension centers or by other means.

29 (b) A community college or an extension center may be established

1 by the Board of Governors only in accordance with the minimum criteria
2 established by secs. 220 - 230 of this chapter, as supplemented by the
3 board by regulation.

4 (c) The establishment of a community college or an extension
5 center may be proposed by

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

8 (2) an agency of the federal government;

9 (3) petition of interested citizens in the community or area
10 to be served; a nonprofit corporation or association;

11 (4) the Alaska Commission on Postsecondary Education or the
12 state advisory council on community colleges created under AS 14.40.-
13 901 - 14.40.915;

14 (5) the legislature by concurrent resolution; or

15 (6) the board.

16 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
17 or a new extension center may not be established until a feasibility
18 study as to the need for its establishment in the community or area to
19 be served has been completed either as directed by the board, or by a
20 proponent under sec. 210(c) of this chapter, and approved by the board.
21 The feasibility study shall be submitted to the respective finance and
22 education policy committees of each house of the legislature and to the
23 Alaska Commission on Postsecondary Education.

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

26 (1) an analysis of the population and educational needs of
27 the municipality, school district or service area in which the proposed
28 community college is to be located;

29 (2) a description of the boundary of the service area for the

1 proposed community college;

2 (3) estimated and projected enrollment;

3 (4) proposed core faculty and administrative staffing;

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

8 (6) a plan for citizen involvement through a community
9 college council established under sec. 200 of this chapter; and

10 (7) a proposed agreement with the school district, munici-
11 pality or federal agency or a nonprofit corporation or association under
12 sec. 240 of this chapter.

13 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
14 community college has been proposed the level of demand for postsecond-
15 ary and continuing education as determined by the feasibility study
16 required under sec. 220(a) of this chapter is more limited than that
17 required for the establishment of a comprehensive community college pro-
18 gram, the board may establish an extension center or an outreach program
19 either independently or in cooperation with the University of Alaska, a
20 school district, a municipality, a nonprofit corporation or association,
21 or an agency of the federal government.

22 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
23 FEDERAL AGENCY. (a) A school district, municipality, federal agency, a
24 nonprofit corporation or association, or the University of Alaska may
25 make an agreement with the Alaska Community Colleges for the estab-
26 lishment, operation and maintenance of a community college, an extension
27 center or off-campus instruction through an outreach program. The
28 agreement shall include, but is not limited to,

29 (1) recognition that complete operational authority resides

1 with the colleges, subject to periodic reviews by the cooperating school
2 district, municipality, federal agency, nonprofit corporation or associ-
3 ation, or the University of Alaska and appropriate reports to ensure
4 program articulation and effective cross-utilization of facilities;

5 (2) provision for cooperative planning of program and facili-
6 ties needs and for cross-utilization of facilities;

7 (3) provision that local funding, in addition to student fees
8 or in-kind contributions, may be provided for support of those general
9 education courses, described in sec. 20(3) of this chapter, or secondary
10 school-related courses as the school district, municipality, federal
11 agency, nonprofit corporation or association, or the University of
12 Alaska considers appropriate; and

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

14 (b) If separate facilities are financed, constructed or maintained
15 from federal, state or private funds for programs and activities of the
16 community college, extension center or outreach program, then the board
17 has title to and control of the separate facilities used for these pur-
18 poses. If separate facilities are financed, constructed or maintained
19 from school district, municipality or nonprofit corporation or associa-
20 tion funds for community college or extension center or outreach pro-
21 grams and activities, the school district, municipality or nonprofit
22 corporation or association has title to and control of the separate
23 facilities used for these purposes.

24 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
25 and cultural opportunities in the state, to keep pace with the expansion
26 of knowledge and with the growth of the state in all fields of endeavor,
27 and to provide educational services and facilities of particular inter-
28 est to residents of the state, the board shall

29 (1) make a continuing study of the feasibility of expanding

1 the system of community colleges, extension centers and outreach pro-
2 grams in accordance with the criteria set out in sec. 220(b) of this
3 chapter;

4 (2) establish additional extension courses, outreach programs
5 and other accredited courses for students it considers advisable in
6 accordance with the procedures set out in secs. 210 - 230 of this
7 chapter;

8 (3) take all appropriate measures to implement this section.

9 (b) Laws of the state designed to meet requirements of the federal
10 government for the state's acceptance of federal grants and allotments
11 for educational and like purposes are extended to cover the establish-
12 ment and operation of the community college expansion program set out
13 in (a) of this section.

14 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

15 Sec. 14.41.260. FINANCE. (a) The state is basically responsible
16 for the funding for all community college, extension center or outreach
17 programs and activities. However, nothing in this chapter prohibits a
18 school district, municipality, federal agency or nonprofit corporation
19 or association from providing funds for additional courses and programs
20 which may be considered appropriate under sec. 240(a)(3) of this chap-
21 ter.

22 (b) The colleges shall prepare a complete program budget for each
23 community college, extension center and outreach program including all
24 courses, programs and activities regardless of the source of funding,
25 including but not limited to funds from fees, grants, contracts, agree-
26 ments, bequests, gifts, trusts, or endowments.

27 (c) All funds received for community college, extension center or
28 outreach program operations shall be administered in the manner pre-
29 scribed by the board by regulation.

1 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
2 otherwise provided in this chapter, the Alaska Community Colleges shall
3 hold and manage all property acquired by it. The Department of Admin-
4 istration, upon requisitions by the Board of Governors, signed by its
5 chairman and secretary, shall pay to the treasurer of the board all
6 federal land grant college funds coming into the possession of the
7 Department of Administration and subject to requisition by the board.
8 The department shall disburse federal funds in aid of land grant col-
9 leges in accordance with federal law and regulations providing for
10 disbursement of those funds.

11 (b) All funds appropriated by the legislature for the establish-
12 ment, construction, operation, maintenance and support of the Alaska
13 Community Colleges shall, on requisition by the board, signed by its
14 chairman and secretary, be paid by the Department of Administration to
15 the treasurer of the board. The treasurer of the board shall disburse
16 these funds on properly drawn vouchers signed by its chairman and
17 secretary, or by the administrative officer of the colleges to whom the
18 board delegates the performances of this function.

19 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
20 Board of Governors may receive, manage, and invest money or other real,
21 personal or mixed property in any manner received from sources other
22 than the state legislature or federal appropriation for the purpose of
23 the colleges, its improvement or adornment, or the aid or advantage of
24 students or faculty, and, in general, may act as trustee on behalf of
25 the colleges for any of these purposes. However, the board shall make a
26 written report to the legislature, in accordance with sec. 360 of this
27 chapter, as to the administration and disposition of funds received
28 under this section.

29 (b) The board shall keep or have kept suitable books of account in

1 which there shall be recorded each gift, the essential facts of the
2 management of the gift, and the expenditure of income. A statement of
3 all trust funds shall be included in the annual report to the governor
4 and to the legislature under sec. 360 of this chapter.

5 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
6 bequests or endowments which are made to the colleges for the purpose of
7 the separate trust fund created under AS 14.40.400, to the extent the
8 Alaska Community Colleges is the successor to the University of Alaska,
9 shall be transferred to the Department of Revenue. The Department of
10 Revenue shall manage that money in accordance with AS 14.40.400. Title
11 to and control or possession of land, personal property, and all money
12 other than that transferred to the Department of Revenue, which is
13 devised, bequeathed or given to the colleges, shall be taken by the
14 colleges in its corporate capacity acting by and through the Board of
15 Governors, or its authorized agent, and shall be entered in the per-
16 petual inventory of the colleges.

17 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
18 or cause to be maintained a perpetual inventory of all permanent proper-
19 ty of the colleges.

20 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
21 petitive bid practices set out in AS 37.05.230 apply to the Alaska
22 Community Colleges, except that the provisions of that Act do not apply
23 in those cases where the work is to be performed substantially by
24 students enrolled in the colleges. Where the term "purchasing agent" is
25 used in AS 37.05, it means the administrative officer of the colleges so
26 designated either by the board or the chancellor.

27 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
28 established in the treasury of the Alaska Community Colleges a working
29 capital reserve fund. The fund consists of money appropriated by the

1 legislature for the purpose of providing current working capital for the
2 Alaska Community Colleges and is not available for appropriation by the
3 Board of Governors.

4 (b) A quarterly report of all activity of the working capital re-
5 serve fund shall be submitted to the Legislative Budget and Audit Com-
6 mittee.

7 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
8 extent the Alaska Community Colleges is considered a successor to the
9 University of Alaska as a land grant college, or for any other purposes,
10 and thus a beneficiary of federal grants of land or money under AS 14.-
11 40.350 - 14.40.450, insofar as the operation, management and control of
12 the community colleges, extension centers and outreach programs are
13 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
14 Alaska Community Colleges in the same manner they apply to the Univer-
15 sity of Alaska.

16 ARTICLE 6. GENERAL PROVISIONS.

17 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION OR
18 TESTS PROHIBITED. (a) No person may be deprived of the privileges or
19 services of the colleges because of age, sex, color or nationality.

20 (b) No instruction either sectarian in religion or partisan in
21 politics may be given in any department of the colleges, and no sec-
22 tarian or partisan test may be employed or applied in the appointment of
23 board or council members, faculty, or other officers or employees of the
24 colleges, or in the admission of students or for any purposes.

25 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) When the
26 campuses of the Alaska Community Colleges and the University of Alaska
27 are located in the same community or municipality either contiguous,
28 adjacent or reasonably close to one another, or when before the effec-
29 tive date of this chapter the community colleges as a part of the

1 University of Alaska shared or jointly used the same buildings and other
2 facilities as other colleges, departments, divisions, institutes, or
3 other units of the University of Alaska, the shared or joint use of
4 these facilities shall be continued after the effective date of this
5 chapter. The Board of Governors of the Alaska Community Colleges and
6 the Board of Regents of the University of Alaska shall enter into a
7 contract, consortium or other cooperative agreement for the continued
8 sharing or joint use of these buildings or facilities, including the
9 cost of their construction, operation and maintenance. When new build-
10 ings or facilities are required by either the colleges or the univer-
11 sity, and the same contiguous, adjacent or proximal physical location of
12 the campuses of the two institutions exists or would come into existence
13 by virtue of the location and construction of these buildings or facili-
14 ties, the two boards shall enter into a contract, consortium or other
15 cooperative agreement for the sharing or joint use of these buildings or
16 facilities, including the cost of their construction, operation and
17 maintenance.

18 (b) For purposes of (a) of this section, "buildings or facilities"
19 includes, but is not limited to, libraries, gymnasiums or other athletic
20 facilities, auditoriums, cafeterias or other food service facilities,
21 residence halls, dormitories or other student living accommodations,
22 laboratories, classrooms, offices, parking structures or facilities,
23 landscaping, roads, utilities, and other buildings, structures or
24 facilities of a like nature appropriate to or necessary for the opera-
25 tion and maintenance of an institution of higher education.

26 Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established
27 on each community college campus and, when feasible, for an extension
28 center or outreach program. This resource or service shall be made
29 available, and the library facility shall be open to, the community or

1 service area served by the college. The library's collection shall in-
2 clude material appropriate to the needs and interests of the community
3 or service area served.

4 Sec. 14.41.360. REPORT TO THE GOVERNOR, LEGISLATURE. The Board of
5 Governors shall make a written report to the governor and to the legis-
6 lature at the beginning of its regular sessions of the condition of the
7 colleges' property, of all receipts and expenditures, including but not
8 limited to the administration and disposition of appropriated and
9 restricted funds, and of the educational and other work performed.

10 Sec. 14.41.370. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established under this chapter independently or in co-
13 operation with a school district, municipality, an agency of the federal
14 government, a nonprofit corporation or association, or the University
15 of Alaska, shall be operated and maintained under regulations prescribed
16 by the board.

17 Sec. 14.41.380. DEFINITIONS. In this chapter

18 (1) "board" means the Board of Governors of the Alaska
19 Community Colleges;

20 (2) "chancellor" means the chancellor of the Alaska Community
21 Colleges;

22 (3) "colleges" means the Alaska Community Colleges, including
23 but not limited to the individual community colleges, extension centers
24 and outreach programs established, operated and maintained independently
25 by the board or in cooperation with a municipality, school district,
26 federal agency, nonprofit corporation or association, or the University
27 of Alaska;

28 (4) "council" means a community college council appointed for
29 an individual community college, extension center or outreach program;

1 (5) "municipality" means a home rule or general law borough
2 or city including but not limited to a unified municipality organized
3 under AS 29.68;

4 (6) "outreach program" means either an off-campus educational
5 delivery system or program, whether or not conducted in a physical
6 facility, designed for the conduct of instruction in localities in the
7 rural areas of the state where there is no community college or exten-
8 sion center;

9 (7) "service area" means one or more school districts or
10 municipalities, combinations or portions of each or of the unorganized
11 borough, which when combined are considered an educationally serviceable
12 unit for the establishment, operation and maintenance of a community
13 college, an extension center or an outreach program either independently
14 by the Alaska Community Colleges or in cooperation with a municipality,
15 school district, federal agency, nonprofit corporation or association,
16 or the University of Alaska.

17 Sec. 14.41.390. SHORT TITLE. Sections 10 - 390 of this chapter
18 may be cited as the Community College Act.

19 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

20 * Sec. 3. AS 14.40.460 is amended to read:

21 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
22 school student in each graduating class in each high school in the state
23 who, upon the completion of four years of high school work in a high
24 school in the state, obtains the highest average standing for all the
25 credits earned, and who is graduated at an annual commencement is
26 entitled to receive, during dormitory residence at the University of
27 Alaska or the Alaska Community Colleges, a scholarship covering dormi-
28 tory rent for a period of two years following the year of graduation
29 upon presenting to the registrar of the university or of the colleges

1 a certificate signed by the superintendent or principal of the high
2 school from which he graduated stating that the graduate named is
3 entitled to receive the benefits of the scholarship. Dormitory resi-
4 dence is governed by [THE RULES AND] regulations established by the
5 Board of Regents or the Board of Governors.

6 * Sec. 4. AS 14.40.480 is amended to read:

7 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
8 FICATES. A certificate shall be applied for and issued to a graduate
9 before August 2 of each year and shall be reported immediately to the
10 registrar of the university or of the colleges by the superintendent or
11 principal issuing it.

12 * Sec. 5. AS 14.40.490 is amended to read:

13 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
14 passing work in more than one subject during a semester, or withdrawal
15 or expulsion from the university or the colleges constitutes a for-
16 feiture during the following semester or semesters of the benefits of
17 secs. 460 and 470 of this chapter.

18 * Sec. 6. AS 14.40.500 is amended to read:

19 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
20 ships shall be made monthly to the university or the colleges upon
21 vouchers drawn upon the Department of Administration and duly certified
22 by the treasurer and the president of the Board of Regents or the
23 treasurer and chairman of the Board of Governors. No payments may be
24 made in excess of amounts specifically appropriated for this purpose.

25 * Sec. 7. AS 14.40.520 is amended to read:

26 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
27 sity of Alaska and the Board of Governors of the Alaska Community
28 Colleges shall offer not more than 15 new scholarships for each academic
29 year to Alaska Natives desiring to attend the University of Alaska or

1 the Alaska Community Colleges. The boards [BOARD] shall give preference
2 to Natives residing in the rural areas of the state who desire to re-
3 ceive training in the field of education. If there are more than 15
4 applications the boards [BOARD] shall award 15 scholarships to those
5 applicants who have the highest scholastic record or who the boards
6 determine [BOARD DETERMINES] are the most qualified among the applicants
7 and who are financially unable to obtain a higher education without
8 assistance. The university and the colleges shall provide such minimum
9 financial assistance to these students as is necessary in each indi-
10 vidual case, but not exceeding fees, board and room.

11 * Sec. 8. AS 14.40.530 is amended to read:

12 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
13 room and board shall be made from any funds available to the university
14 or the colleges. Each Native who receives a scholarship under secs.
15 510 - 550 of this chapter is entitled to retain the scholarship and to
16 receive free room and board during his attendance at the university or
17 the colleges as long as he maintains a grade average equivalent to a
18 "C" or better. However, no Native is entitled to the scholarship for
19 more than four years, or for more than the number of years necessary to
20 receive a bachelor's degree.

21 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

22 (6) two members of the Board of Governors of the Alaska
23 Community Colleges designated by the members of that body; and, if the
24 council is a separate and distinct entity from the Board of Governors,
25 one member of the state Advisory Council on Community Colleges desig-
26 nated by the members of that body;

27 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

28 (2) establish a state advisory council on community colleges
29 and develop a comprehensive statewide plan for the expansion and im-

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

9 * Sec. 11. AS 39.25.110(7) is amended to read:

10 (7) officers, members of the teaching staff, and employees
11 of the University of Alaska and the Alaska Community Colleges;

12 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

13 (LL) Alaska Community Colleges Board of Governors;

14 (AS 14.41.050).

15 * Sec. 13. TRANSITION: PROPERTY AND FUNDS. Under the direction of the
16 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
17 ments of Administration and Revenue, the Board of Regents of the University
18 of Alaska shall redistribute or transfer all the property, assets and state
19 or federal funds of the University of Alaska relating to the operation,
20 maintenance and support of the community colleges within the university to
21 the Alaska Community Colleges.

22 * Sec. 14. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
23 TIONS. All litigation, hearings, investigations and other proceedings pend-
24 ing under a law amended for functions which may be transferred by this Act,
25 continue in effect and may be continued and completed notwithstanding a
26 transfer or amendment provided for in this Act. Certificates, orders, rules
27 or regulations issued or filed under authority of a law amended by this Act
28 or functions which may be transferred by this Act, remain in effect for the
29 term issued, unless revoked, vacated, or otherwise modified under the pro-

1 visions of this Act. All contracts or other obligations created by a law
2 amended by this Act or by virtue of functions which may be transferred by
3 this Act, and in effect on the effective date of this Act, remain in effect
4 unless revoked or modified under the provisions of this Act.

5 * Sec. 15. TRANSITION: PERSONNEL. All faculty, staff, officers or em-
6 ployees in the community colleges of the University of Alaska, or those
7 statewide or regional faculty, staff, officers or employees of the univer-
8 sity whose functions, powers, duties and responsibilities relate in whole or
9 in the major part to community colleges and who have been retained for 1976-
10 1977 shall be terminated by the University of Alaska and shall be rehired
11 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
12 Education shall assist those community college faculty, staff, officers or
13 employees of the University of Alaska who are not transferred in finding
14 positions for which they are qualified.

15 * Sec. 16. TRANSITION: EXISTING COMMUNITY COLLEGES, COOPERATIVE AGREE-
16 MENTS. The Board of Governors of the Alaska Community Colleges succeeds the
17 Board of Regents of the University of Alaska as a party to an existing
18 cooperative agreement between the Board of Regents of the University of
19 Alaska and a school district, municipality, or an agency of the federal
20 government, or a nonprofit corporation or association with respect to the
21 establishment, operation and maintenance of a community college or an exten-
22 sion center. That agreement in effect on the effective date of this Act
23 shall remain in effect until its agreed expiration and may be modified or
24 extended by mutual agreement unless, before the agreed expiration, it is
25 mutually cancelled by the contracting parties in accordance with law. Nothing
26 in sec. 1 of this Act affects the status of a community college or extension
27 center established, maintained and in operation under a cooperative agreement
28 between the Board of Regents and a school district, municipality or an agency
29 of the federal government on the effective date of this Act, except that the

1 Board of Governors succeeds to the authority of the Board of Regents and as a
2 party to that agreement in all respects.

3 * Sec. 17. This Act takes effect July 1, 1976.
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Introduced: 2/16/76
Referred: Health, Education and Social
Services and Finance

1 IN THE SENATE

BY CROFT

2 SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. (a) It is the purpose of this chapter
13 to establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to:

28 (1) courses and curricula that lead to associate degrees,
29 or that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical skills
5 in a chosen trade or occupation and lead either to a degree or a certi-
6 ficate of completion;

7 (3) general education and public interest courses designed
8 to meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this subsection.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited
17 to off-campus study and credit and noncredit courses that may or may
18 not lead to associate, baccalaureate or advanced degrees.

19 ARTICLE 2. GOVERNANCE.

20 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There
21 is established a state corporation to be called the Alaska Community
22 Colleges. It may in that name

- 23 (1) sue and be sued;
- 24 (2) receive, hold and manage real and personal property;
- 25 (3) contract and be contracted with;
- 26 (4) adopt, use and alter a corporate seal;
- 27 (5) adopt bylaws and administrative rules for the management
28 and operation of the community colleges, extension centers and outreach
29 programs;

1 (6) accept grants or loans from and contract with the federal
2 government, the state, or its political subdivisions, and to that end
3 comply with the provisions of federal, state, or local programs when
4 necessary;

5 (7) do and have done all matters necessary for the purpose
6 of any function set out in this chapter.

7 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
8 Colleges shall be governed by a board of governors consisting of nine
9 members appointed by the governor, subject to confirmation by a majority
10 of the members of the legislature in joint session. One of the members
11 of the board shall be a member of the faculty and one shall be a member
12 of the student body of the Alaska Community Colleges. These two board
13 members shall be appointed by the governor in accordance with sec. 60
14 of this chapter.

15 (b) Board members shall be citizens of the United States and
16 residents of the State of Alaska for one year before appointment and
17 during the board member's term of office.

18 (c) One board member each shall be residents of Southeastern
19 Alaska, Western Alaska and Northern Alaska, respectively; two board
20 members shall be residents of Southcentral Alaska. However, this pro-
21 vision for the geographical distribution of board membership does not
22 apply to the appointment of faculty and student board members.

23 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
24 board member shall be appointed by the governor from among a list of
25 nominees submitted to him comprised of the names of at least three but
26 not more than five full-time community college, extension center or
27 outreach program faculty members. These faculty members shall be nomi-
28 nated from among the full-time faculty members of the community
29 colleges, extension centers and outreach programs in the manner pre-

1 scribed by the board by regulation. A full-time faculty member is one
2 who is teaching at least 9 credit hours a semester and who has taught in
3 the Alaska Community Colleges for at least two academic years. Failure
4 of the faculty board member to maintain full-time faculty status during
5 his term of office results in forfeiture of that office. Forfeiture
6 occurs on certification of the principal campus administrative officer
7 at the community college where the faculty member is or has been teach-
8 ing that the faculty member is no longer employed full-time.

9 (b) The student member of the board shall be appointed from a
10 list of nominees consisting of the names of two students from each cam-
11 pus of the Alaska Community Colleges, and one from each extension center
12 or outreach program, after an election is held at each campus, center
13 or program site. The elections shall be conducted under rules estab-
14 lished by the Governor's Commission on the Involvement of Young People
15 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
16 the requirements of sec. 50(b) of this chapter, the student board mem-
17 ber appointed under this section must

18 (1) have attended one of the Alaska Community Colleges, an
19 extension center or outreach program as a full-time student for at
20 least one academic year before appointment; and

21 (2) be enrolled as a full-time student at one of the Alaska
22 Community Colleges, extension centers or outreach programs at the time
23 of appointment.

24 (c) Failure of the student board member appointed under (b) of
25 this section to remain enrolled as a full-time student at one of the
26 Alaska Community Colleges, extension centers or outreach programs dur-
27 ing his term results in forfeiture of that office. The forfeiture
28 occurs upon certification by the registrar that the student board
29 member is no longer a full-time student. The governor shall appoint a

1 successor from among the list of nominees submitted to him under (b) of
2 this section at the time of original appointment.

3 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
4 faculty and student board members, members of the board of governors
5 serve for seven-year terms. The terms of the initial appointees shall
6 be staggered in such a manner that the term of office of one board
7 member expires each year for seven years.

8 (b) The term of office of the faculty board member is two years
9 and of the student board member, one year.

10 (c) Vacancies shall be filled in the same manner as original
11 appointment.

12 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice chair-
13 man and those other officers the board considers necessary shall be
14 elected from among the members of the board for a one-year term. No
15 member of the board may serve as chairman for more than two consecutive
16 one-year terms.

17 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
18 its own rules of procedure. A quorum is a majority of the members of
19 the board. The votes of the board members shall be recorded, and
20 effective action requires the affirmative vote of a majority of the
21 board members. No board member may, with respect to a matter before
22 the board, vote for or on behalf of, or in any way exercise the vote of,
23 another member of the board.

24 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least
25 once quarterly at a time and place determined by the chairman, and at
26 other times and places as the chairman or a majority of the members of
27 the board, consider necessary. However, 30 days notice is required for
28 all regular meetings and 10 days notice is required for special meet-
29 ings of the board, its committees or subcommittees called under the

1 bylaws or rules of procedure of the board. Emergency meetings may be
2 called without notice.

3 (b) Insofar as possible, board meetings shall be held at commun-
4 ity college campuses, in rotation, so that the board meets at each
5 community college at least once in three years. The board shall provide
6 adequate facilities for members of the public to attend the meetings of
7 the board, its committees or subcommittees.

8 (c) The provisions of AS 44.62.310 apply to meetings of the board.
9 All meetings of the board, its committees or subcommittees, are open to
10 the public and press except as otherwise provided in AS 44.62.310(c).
11 The findings of an executive session shall be made a part of the record
12 of the proceedings of the board. All records of the meetings and pro-
13 ceedings shall be open to inspection by the public and the press at
14 reasonable times.

15 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
16 serve without compensation but are entitled to per diem and travel ex-
17 penses as may be authorized by law for boards and commissions.

18 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
19 shall

20 (1) appoint the chancellor of the Alaska Community Colleges
21 by a majority vote of all members of the board;

22 (2) fix the compensation of the chancellor, faculty and other
23 officers and employees of the colleges;

24 (3) confer degrees appropriate to the community colleges that
25 the board may determine and prescribe;

26 (4) have the care, control and management of all the real
27 and personal property and all funds of the colleges; and, keep or have
28 kept a complete, accurate record of all funds received and disbursed;

29 (5) keep or have kept a correct and easily understood record

1 of the minutes of every meeting and all acts done by the board in the
2 pursuit of its duties;

3 (6) establish the policies within which the principal campus
4 administrative officers of the community colleges, the associated ex-
5 tension centers or outreach programs, and the community college councils
6 manage and control the operations of each community college, extension
7 center or outreach program;

8 (7) meet regularly with the community college councils to
9 determine the needs of each college, center or program.

10 (b) The board may

11 (1) adopt reasonable rules, orders and plans, with reasonable
12 penalties, for the good government of the colleges and for the regula-
13 tion of the board;

14 (2) determine and regulate the course of instruction in the
15 colleges with the advice of the chancellor, the principal campus admin-
16 istrative officers, and the community college councils at each college,
17 center or program.

18 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
19 any officer or employee of the colleges by a majority vote of all of
20 the members of the board when in its judgment the good of the Alaska
21 Community Colleges requires it.

22 ARTICLE 3. ADMINISTRATION.

23 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
24 the board of governors and of the Alaska Community Colleges is the
25 chancellor. His primary responsibility is the administration of the
26 community colleges, extension centers and outreach programs statewide,
27 working with the principal administrative officers for each community
28 college, extension center or outreach program.

29 (b) In addition to his responsibility for the administration of

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

4 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
5 chancellor shall

6 (1) appoint the principal administrative officer for each
7 community college, extension center on recommendation of the community
8 college council for each, subject to the approval of the board;

9 (2) define the duties and supervise the performance of those
10 duties of the persons he appoints to positions established by the board;

11 (3) give general direction to the work of the colleges,
12 centers and programs in accordance with the policies established by the
13 board;

14 (4) in concert with the principal administrative officers,
15 coordinate the community colleges, extension centers and outreach pro-
16 grams and other activities of the Alaska Community Colleges.

17 (b) The chancellor may appoint the faculty and other officers
18 and employees of each community college, extension center or outreach
19 program, on recommendation of the principal administrative officer of
20 each; however, with the approval of the board, the chancellor may
21 delegate the authority to appoint faculty, officers and employees to
22 the principal administrative officer of each college, center or program.

23 Sec. 14.41.160. SUSPENSION, EXPULSION OF STUDENTS. The authority
24 to suspend and expel a student for misconduct or other cause or to re-
25 instate him is vested solely in the chancellor; however, the chancellor
26 may delegate this authority to the principal campus administrative offi-
27 cer of each community college.

28 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
29 istrative officer for each community college is a dean or director. He

1 is responsible directly to the chancellor and to the community college
2 council for the administration of the college. Subject to the approval
3 of the board, the dean or director shall be appointed by the chancellor,
4 on recommendation of the council for the college which the dean or
5 director will administer.

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

13 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The
14 board may establish statewide or central service organizations for the
15 community colleges, extension centers and outreach programs. Regional
16 service centers also may be established to administer the outreach
17 programs and to provide postsecondary educational services to the resi-
18 dents of the rural areas of the state in each service area for which a
19 regional center is established. In a service area where a community
20 college or an extension center is located, the regional service center
21 shall be integrated with the operation of the community college or
22 extension center.

23 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION (a) Full-time
24 members of the faculty and administrative staff of each community
25 college, extension center and outreach program are members of the fac-
26 ulty and administrative staff, respectively, of the Alaska Community
27 Colleges for all purposes.

28 (b) The chancellor is responsible for prescribing the qualifi-
29 cations, and for establishing the procedure for appointment, of all

1 community college and extension center faculty and administrative staff,
2 whether part or full-time.

3 (c) A community college, extension center or outreach program is
4 concerned with the total educational needs of the area it serves and
5 may coordinate and facilitate all public postsecondary and continuing
6 education in the area. Selected upper division and graduate courses
7 offered by the University of Alaska through its various divisions may
8 be coordinated through the principal administrative officer of a
9 community college, extension center, or an outreach program.

10 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
11 college council, the majority of whose members shall be persons served
12 by the programs developed and administered under this chapter, shall be
13 established for each community college. The council shall consist of
14 not less than seven nor more than 15 members who shall be broadly
15 representative of the area served, including faculty and student repre-
16 sentation. A council may be appointed for an extension center and
17 for each regional service center, when the center is not integrated
18 with a community college or extension center, at the discretion of the
19 board.

20 (b) The board, by regulation, shall prescribe the method of
21 selection of members of community college councils, prescribe the term
22 of office, procedure for removal and for the filling of vacancies on
23 the councils. Each community college council shall adopt bylaws which
24 shall provide for the election of officers, establishment of meeting
25 schedules and meeting notices, rules of procedure and quorums.

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

1 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
2 apply to meetings of community college councils in the same manner and to
3 the same extent applicable to meetings of the board of governors, its
4 committees and subcommittees.

5 (e) A community college council acts in a policy-making capacity
6 with respect to the principal administrative officer of each community
7 college, coordinator of an extension center or administrator of an out-
8 reach program. It acts in an advisory capacity to the chancellor and to
9 the board of governors.

10 (f) The community college council serves as a communications
11 link between the area served by the community college, extension center
12 or outreach program and the Alaska Community Colleges. Requests and
13 recommendations by a community college council shall be answered in
14 writing by the addressee.

15 (g) A community college council shall review and make recommenda-
16 tions

17 (1) concerning the selection of the principal administrative
18 officer of the community college, extension center or outreach program;

19 (2) concerning the proposed program budget for the community
20 college, extension center or outreach program for each fiscal year
21 before it is submitted to the statewide administration and to the board
22 of governors; and

23 (3) relating to the general operation and management of the
24 community college, extension center or outreach program, including but
25 not limited to:

26 (A) planning for, and review of, the types and uses of
27 instructional programs and activities and types and uses of facili-
28 ties that the community college, extension center or outreach
29 program should provide to meet area needs;

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

3 (C) the means of gaining support for the college's pro-
4 gram in that area.

5 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

6 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
7 tinuing education is a statewide responsibility, the colleges, as the
8 need arises, may either independently establish, operate and maintain, or
9 enter into a cooperative agreement with an agency of the federal govern-
10 ment, a school district, a municipality or a nonprofit corporation or
11 association for the establishment, operation and maintenance of, appro-
12 priate public postsecondary and continuing educational programs and
13 activities in community colleges, extension centers or by other means.

14 (b) A community college or an extension center may be established
15 by the board of governors only in accordance with the minimum criteria
16 established by secs. 220 - 230 of this chapter, as supplemented by the
17 board by regulation.

18 (c) The establishment of a community college or an extension center
19 may be proposed by

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

22 (2) an agency of the federal government;

23 (3) petition of interested citizens in the community or area
24 to be served; a nonprofit corporation or association;

25 (4) the Alaska Commission on Postsecondary Education or the
26 state advisory council on community colleges created under AS 14.40.-
27 901 - 14.40.915;

28 (5) the legislature by concurrent resolution; or

29 (6) the board.

1 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
2 or a new extension center may not be established until a feasibility
3 study as to the need for its establishment in the community or area to
4 be served has been completed either as directed by the board, or by a
5 proponent under sec. 210(c) of this chapter, and approved by the board.
6 The feasibility study shall be submitted to the respective finance and
7 education policy committees of each house of the legislature and to
8 the Alaska Commission on Postsecondary Education.

9 (b) The feasibility study required in (a) of this section shall
10 include but is not limited to:

11 (1) an analysis of the population and educational needs of
12 the municipality, school district or service area in which the proposed
13 community college is to be located;

14 (2) a description of the boundary of the service area for
15 the proposed community college;

16 (3) estimated and projected enrollment;

17 (4) proposed core faculty and administrative staffing;

18 (5) a proposed budget for the initial fiscal year of opera-
19 tion together with a statement of sources of financial support required
20 for core faculty and administrative staff, curriculum and other pro-
21 grams and activities, and physical facilities;

22 (6) a plan for citizen involvement through a community
23 college council established under sec. 200 of this chapter; and

24 (7) a proposed agreement with the school district, munici-
25 pality or federal agency or a nonprofit corporation or association
26 under sec. 240 of this chapter.

27 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
28 community college has been proposed, the level of demand for postsecond-
29 ary and continuing education as determined by the feasibility study

1 required under sec. 220(a) of this chapter is more limited than that
2 required for the establishment of a comprehensive community college pro-
3 gram, the board may establish an extension center or an outreach program
4 either independently or in cooperation with the University of Alaska, a
5 school district, a municipality, a nonprofit corporation or association,
6 or an agency of the federal government.

7 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
8 FEDERAL AGENCY. (a) A school district, municipality, federal agency or
9 nonprofit corporation or association may make an agreement with the
10 Alaska Community Colleges for the establishment, operation and mainte-
11 nance of a community college, an extension center or off-campus instruc-
12 tion through an outreach program. The agreement shall include, but is
13 not limited to:

14 (1) recognition that complete operational authority resides
15 with the colleges, subject to periodic reviews by the cooperating school
16 district, municipality, federal agency or nonprofit corporation or
17 association and appropriate reports to ensure program articulation and
18 effective cross-utilization of facilities;

19 (2) provision for cooperative planning of program and facili-
20 ties needs and for cross-utilization of facilities;

21 (3) provision that local funding, in addition to student fees
22 or in-kind contributions, may be provided for support of those general
23 education courses, described in sec. 20(3) of this chapter, or secondary
24 school-related courses as the school district, municipality, federal
25 agency or nonprofit corporation or association considers appropriate;
26 and

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

28 (b) If separate facilities are financed, constructed or maintained
29 from federal, state or private funds for programs and activities of the

1 community college, extension center or outreach program, then the board
2 has title to and control of the separate facilities used for these pur-
3 poses. If separate facilities are financed, constructed or maintained
4 from school district, municipality or nonprofit corporation or associa-
5 tion funds for community college or extension center or outreach programs
6 and activities, the school district, municipality or nonprofit corpora-
7 tion or association has title to and control of the separate facilities
8 used for these purposes.

9 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
10 and cultural opportunities in the state, to keep pace with the expansion
11 of knowledge and with the growth of the state in all fields of endeavor,
12 and to provide educational services and facilities of particular inter-
13 est to residents of the state, the board shall

14 (1) make a continuing study of the feasibility of expanding
15 the system of community colleges, extension centers and outreach pro-
16 grams in accordance with the criteria set out in sec. 220(b) of this
17 chapter;

18 (2) establish additional extension courses, outreach pro-
19 grams and other accredited courses for students it considers advisable
20 in accordance with the procedures set out in secs. 210 - 230 of this
21 chapter;

22 (3) take all appropriate measures to implement this section.

23 (b) Laws of the state designed to meet requirements of the federal
24 government for the state's acceptance of federal grants and allotments
25 for educational and like purposes are extended to cover the establish-
26 ment and operation of the community college expansion program set forth
27 in (a) of this section.

28 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

29 Sec. 14.41.260. FINANCE. (a) The state is basically responsible

1 for the funding for all community college, extension center or outreach
2 programs and activities. However, nothing in this chapter prohibits a
3 school district, municipality, federal agency or nonprofit corporation or
4 association from providing funds for additional courses and programs
5 which may be considered appropriate under sec. 240(a)(3) of this chapter.

6 (b) The colleges shall prepare a complete program budget for each
7 community college, extension center and outreach program including all
8 courses, programs and activities regardless of the source of funding,
9 including but not limited to funds from fees, grants, contracts, agree-
10 ments, bequests, gifts, trusts, or endowments.

11 (c) All funds received for community college, extension center or
12 outreach program operations shall be administered in the manner pre-
13 scribed by the board by regulation.

14 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
15 otherwise provided in this chapter, the Alaska Community Colleges shall
16 hold and manage all property acquired by it. The Department of Admin-
17 istration, upon requisitions by the board of governors, signed by its
18 chairman and secretary, shall pay to the treasurer of the board all
19 federal land grant college funds coming into the possession of the
20 Department of Administration and subject to requisition by the board.
21 The department shall disburse federal funds in aid of land grant
22 colleges in accordance with federal law and regulations providing for
23 disbursement of those funds.

24 (b) All funds appropriated by the legislature for the establish-
25 ment, construction, operation, maintenance and support of the Alaska
26 Community Colleges shall, on requisition by the board, signed by its
27 chairman and secretary, be paid by the Department of Administration to
28 the treasurer of the board. The treasurer of the board shall disburse
29 these funds on properly drawn vouchers signed by its chairman and

1 secretary, or by the administrative officer of the colleges to whom the
2 board delegates the performances of this function.

3 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
4 board of governors may receive, manage, and invest money or other real,
5 personal or mixed property in any manner received from sources other
6 than the state legislature or federal appropriation for the purpose of
7 the colleges, its improvement or adornment, or the aid or advantage of
8 students or faculty, and, in general, may act as trustee on behalf of
9 the colleges for any of these purposes. However, the board shall make
10 a written report to the legislature, in accordance with sec. 360 of this
11 chapter, as to the administration and disposition of funds received
12 under this section.

13 (b) The board shall keep or have kept suitable books of account
14 in which there shall be recorded each gift, the essential facts of the
15 management of the gift, and the expenditure of income. A statement of
16 all trust funds shall be included in the annual report to the governor
17 and to the legislature under sec. 360 of this chapter.

18 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
19 bequests or endowments which are made to the colleges for the purpose of
20 the separate trust fund created under AS 14.40.400, to the extent the
21 Alaska Community Colleges is the successor to the University of Alaska,
22 shall be transferred to the Department of Revenue. The Department of
23 Revenue shall manage that money in accordance with AS 14.40.400. Title
24 to and control or possession of land, personal property, and all money
25 other than that transferred to the Department of Revenue, which is
26 devised, bequeathed or given to the colleges shall be taken by the
27 colleges in its corporate capacity acting by and through the board of
28 governors, or its authorized agent, and shall be entered in the per-
29 petual inventory of the university.

1 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
2 or cause to be maintained a perpetual inventory of all permanent proper-
3 ty of the colleges.

4 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
5 petitive bid practices set forth in AS 37.05.230 apply to the Alaska
6 Community Colleges, except that the provisions of that act do not apply
7 in those cases where the work is to be performed substantially by
8 students enrolled in the colleges. Where the term "purchasing agent" is
9 used in AS 37.05, it means the administrative officer of the colleges
10 so designated either by the board or the chancellor.

11 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
12 established in the treasury of the Alaska Community Colleges a working
13 capital reserve fund. The fund consists of money appropriated by the
14 legislature for the purpose of providing current working capital for the
15 Alaska Community Colleges and is not available for appropriation by the
16 board of governors.

17 (b) A quarterly report of all activity of the working capital re-
18 serve fund shall be submitted to the Legislative Budget and Audit Com-
19 mittee.

20 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
21 extent the Alaska Community College is considered a successor to the
22 University of Alaska as a land grant college, or for any other purposes,
23 and thus a beneficiary of federal grants of land or money under AS 14.-
24 40.350 - 14.40.450, insofar as the operation, management and control of
25 the community colleges, extension centers and outreach programs are
26 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
27 Alaska Community Colleges in the same manner they apply to the Univer-
28 sity of Alaska.

29 ARTICLE 6. GENERAL PROVISIONS.

1 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION
2 OR TESTS PROHIBITED. (a) No person may be deprived of the privileges
3 or services of the colleges because of age, sex, color or nationality.

4 (b) No instruction either sectarian in religion or partisan in
5 politics may be given in any department of the colleges and no sectarian
6 or partisan test may be employed or applied in the appointment of board
7 or council members, faculty, or other officers or employees of the
8 colleges, or in the admission of students or for any purposes.

9 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) Where the
10 campuses of the Alaska Community Colleges and the University of Alaska
11 are located in the same community or municipality either contiguous,
12 adjacent or reasonably close to one another, or where before the effec-
13 tive date of this chapter, the community colleges as a part of the
14 University of Alaska shared and jointly used the same buildings and
15 other facilities as other colleges, departments, divisions, institutes,
16 or other units of the University of Alaska, the shared or joint use of
17 these facilities shall be continued after the effective date of this
18 chapter. The Board of Governors of the Alaska Community Colleges and
19 the Board of Regents of the University of Alaska shall enter into a
20 contract, consortium or other cooperative agreement for the continued
21 sharing or joint use of these buildings or facilities, including the
22 cost of their construction, operation and maintenance. Where new
23 buildings or facilities are required by either the colleges or the
24 university, and the same contiguous, adjacent or proximal physical
25 location of the campuses of the two institutions exists or would come
26 into existence by virtue of the location and construction of these
27 buildings or facilities, the two boards shall enter into a contract,
28 consortium or other cooperative agreement for the sharing or joint use
29 of these buildings or facilities, including the cost of their construc-

tion, operation and maintenance.

(b) For purposes of (a) of this section, "buildings or facilities" includes, but is not limited to, libraries, gymnasiums, or other athletic facilities, auditoriums, cafeterias, or other food service facilities, residence halls, dormitories, or other student living accommodations, laboratories, classrooms, offices, parking structures or facilities, landscaping, roads, utilities, and other buildings, structures or facilities of a like nature appropriate to or necessary for the operation and maintenance of an institution of higher education.

Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established on each community college campus and, where feasible for an extension center or outreach program. This resource or service shall be made available, and the library facility shall be open to, the community or service area served by the college. The library's collection shall include material appropriate to the needs and interests of the community or service area served.

Sec. 14.41.360. REPORT TO THE GOVERNOR; LEGISLATURE. The board of governors shall make a written report to the governor and to the legislature at the beginning of its regular sessions of the condition of the colleges' property, of all receipts and expenditures, including but not limited to the administration and disposition of appropriated and restricted funds, and of the educational and other work performed.

Sec. 14.41.370. REGULATIONS. A community college, an extension center, an outreach program, or a central or regional service center for that program, established under this chapter independently or in cooperation with a school district, municipality, an agency of the federal government or a nonprofit corporation or association, shall be operated and maintained under regulations prescribed by the board.

Sec. 14.41.380. DEFINITIONS. In this chapter

1 (1) "board" means the Board of Governors of the Alaska
2 Community Colleges;

3 (2) "chancellor" means the chancellor of the Alaska Commu-
4 nity Colleges;

5 (3) "colleges" means the Alaska Community Colleges, including
6 but not limited to the individual community colleges, extension centers
7 and outreach programs established, operated and maintained by the
8 board;

9 (4) "council" means a community college council appointed for
10 an individual community college, extension center or outreach program;

11 (5) "municipality" means a home rule or general law borough
12 or city including but not limited to a unified municipality organized
13 under AS 29.68;

14 (6) "outreach program" means either an off-campus educational
15 delivery system or program, whether or not conducted in a physical
16 facility, designed for the conduct of instruction in localities in the
17 rural areas of the state where there is no community college or exten-
18 sion center,

19 (7) "service area" means one or more school districts or
20 municipalities, combinations or portions of each or of the unorganized
21 borough, which when combined are considered an educationally serviceable
22 unit for the establishment, operation and maintenance of a community
23 college, an extension center or an outreach program either independently
24 or in cooperation with the Alaska Community Colleges or the University
25 of Alaska.

26 Sec. 14.41.390. SHORT TITLE. Sections 010 - 390 of this chapter
27 may be cited as the Community College Act.

28 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

29 * Sec. 3. AS 14.40.460 is amended to read:

1 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
2 school student in each graduating class in each high school in the
3 state who, upon the completion of four years of high school work in a
4 high school in the state, obtains the highest average standing for all
5 the credits earned, and who is graduated at an annual commencement is
6 entitled to receive, during dormitory residence at the University of
7 Alaska or the Alaska Community Colleges a scholarship covering dormi-
8 tory rent for a period of two years following the year of graduation
9 upon presenting to the registrar of the university or of the colleges
10 a certificate signed by the superintendent or principal of the high
11 school from which he graduated stating that the graduate named is
12 entitled to receive the benefits of the scholarship. Dormitory resi-
13 dence is governed by [THE RULES AND] regulations established by the
14 Board of Regents or the board of governors.

15 * Sec. 4. AS 14.40.480 is amended to read:

16 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
17 FICATES. A certificate shall be applied for and issued to a graduate
18 before August 2 of each year and shall be reported immediately to the
19 registrar of the university or of the colleges by the superintendent or
20 principal issuing it.

21 * Sec. 5. AS 14.40.490 is amended to read:

22 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
23 passing work in more than one subject during a semester, or withdrawal
24 or expulsion from the university or the colleges constitutes a for-
25 feiture during the following semester or semesters of the benefits of
26 secs. 460 and 470 of this chapter.

27 * Sec. 6. AS 14.40.500 is amended to read:

28 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
29 ships shall be made monthly to the university or the colleges upon

1 vouchers drawn upon the Department of Administration and duly certified
2 by the treasurer and the president of the Board of Regents or the
3 treasurer and chairman of the board of governors. No payments may be
4 made in excess of amounts specifically appropriated for this purpose.

5 * Sec. 7. AS 14.40.520 is amended to read:

6 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
7 sity of Alaska and the Board of Governors of the Alaska Community
8 Colleges shall offer not more than 15 new scholarships for each academic
9 year to Alaska Natives desiring to attend the University of Alaska or
10 the Alaska Community Colleges. The boards [BOARD] shall give preference
11 to Natives residing in the rural areas of the state who desire to re-
12 ceive training in the field of education. If there are more than 15
13 applications the boards [BOARD] shall award 15 scholarships to those
14 applicants who have the highest scholastic record or who the boards
15 determine [BOARD DETERMINES] are the most qualified among the applicants
16 and who are financially unable to obtain a higher education without
17 assistance. The university and the colleges shall provide such minimum
18 financial assistance to these students as is necessary in each indi-
19 vidual case, but not exceeding fees, board and room.

20 * Sec. 8. AS 14.40.530 is amended to read:

21 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
22 room and board shall be made from any funds available to the university
23 or the colleges. Each Native who receives a scholarship under secs.
24 510 - 550 of this chapter is entitled to retain the scholarship and to
25 receive free room and board during his attendance at the university or
26 the colleges as long as he maintains a grade average equivalent to a
27 "C" or better. However, no Native is entitled to the scholarship for
28 more than four years, or for more than the number of years necessary to
29 receive a bachelor's degree.

COMMITTEE COPY

1 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

2 (6) two members of the Board of Governors of the Alaska
3 Community Colleges designated by the members of that body; and, if the
4 council is a separate and distinct entity from the board of governors,
5 one member of the state Advisory Council on Community Colleges desig-
6 nated by the members of that body;

7 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

8 (2) establish a state advisory council on community colleges
9 and develop a comprehensive statewide plan for the expansion and im-
10 provement of the community colleges under sec. 1001 of Title X of the
11 Higher Education Act of 1965, as amended by the Education Amendments of
12 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however, to avoid the
13 establishment of duplicate agencies, the commission may designate the
14 Board of Governors of the Alaska Community Colleges as the state
15 Advisory Council on Community Colleges if the composition of the board's
16 membership meets the requirements of applicable federal law or regula-
17 tion;

18 * Sec. 11. AS 39.25.110(7) is amended to read:

19 (7) officers, members of the teaching staff, and employees
20 of the University of Alaska and the Alaska Community Colleges;

21 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

22 (LL) Alaska Community Colleges board of governors
23 (AS 14.41.050).

24 * Sec. 13. TRANSITION; PROPERTY AND FUNDS. Under the direction of the
25 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
26 ments of Administration and Revenue, the Board of Regents of the University
27 of Alaska shall redistribute or transfer all the property, assets and state
28 or federal funds of the University of Alaska relating to the operation,
29 maintenance and support of the community colleges within the university to

1 the Alaska Community Colleges.

2 * Sec. 14. TRANSITION; PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
3 TIONS. All litigation, hearings, investigations and other proceedings pend-
4 ing under a law amended for functions which may be transferred by this Act,
5 continue in effect and may be continued and completed notwithstanding a
6 transfer or amendment provided for in this Act. Certificates, orders, rules
7 or regulations issued or filed under authority of a law amended by this Act
8 or functions which may be transferred by this Act, remain in effect for the
9 term issued, unless revoked, vacated, or otherwise modified under the pro-
10 visions of this Act. All contracts or other obligations created by a law
11 amended by this Act or by virtue of functions which may be transferred by
12 this Act, and in effect on the effective date of this Act, remain in effect
13 unless revoked or modified under the provisions of this Act.

14 * Sec. 15. TRANSITION; PERSONNEL. All faculty, staff, officers or em-
15 ployees in the community colleges of the University of Alaska, or those
16 statewide or regional faculty, staff, officers or employees of the univer-
17 sity whose functions, powers, duties and responsibilities relate in whole or
18 in the major part to community colleges and who have been retained for 1976-
19 1977 shall be terminated by the University of Alaska and shall be rehired
20 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
21 Education shall assist those community college faculty, staff, officers or
22 employees of the University of Alaska who are not transferred in finding
23 positions for which they are qualified.

24 * Sec. 16. The Board of Governors of the Alaska Community Colleges
25 succeeds the Board of Regents of the University of Alaska as a party to an
26 existing cooperative agreement between the Board of Regents of the Univer-
27 sity of Alaska and a school district, municipality, or an agency of the
28 federal government, or a nonprofit corporation or association with respect
29 to the establishment, operation and maintenance of a community college or

1 an extension center. That agreement in effect on the effective date of this
2 Act shall remain in effect until its agreed expiration and may be modified
3 or extended by mutual agreement unless, before the agreed expiration, it is
4 mutually cancelled by the contracting parties in accordance with law.
5 Nothing in sec. 1 of this Act affects the status of a community college or
6 extension center established, maintained and in operation under a cooperative
7 agreement between the Board of Regents and a school district, municipality
8 or an agency of the federal government on the effective date of this Act,
9 except that the board of governors succeeds to the authority of the Board of
10 Regents and as a party to that agreement in all respects.

11 * Sec. 17. This Act takes effect July 1, 1976.
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SBCSP

ALASKA STATE LEGISLATURE

NINTH... Legislature .SECONDSession

SS
SENATE BILL..... NO. 658.....

By ..CROFT.....

"An Act establishing the Alaska Community Colleges; and providing for an effective date."

establishing the Alaska Community Colleges

Introduced in the Senate 2/16 76
....., 19....

HISTORY IN THE SENATE

19 76

Read first time and referred to Committee on

2 16 Health, Education and Social Services and Finance *SS introduced*

38
318 *HES do pass to fix money 1 die not pass*

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

Ma: Special Delivery

12 Garland Road
West Hartford, Conn. 06107
April 19, 1976

Senator Bill Ray
Capitol - Room 415
Pouch V, Juneau, Alaska 99801

Dear Senator Ray:

Since we did not succeed in timing our coming and going last Thursday afternoon, I am forwarding these comments. I would have stressed these points in talking with you. I call to your attention my recommendations, in part, in Part VI of the McLean Report on Higher Education in Alaska, January 31, 1976. I believe most of them merit consideration whether or not there is a separate board for community colleges.

1. Lay control of public higher education is very important. It assures a more efficient operation, programs more closely related to needs and desires of the state citizenry. It is a necessary balance against excessive dominance of public higher education by professional educators - the administration, as part of management, as well as the union membership.

Effective management and governance of public higher education by lay people demands the trustees or regents 1) be familiar with the purpose and mission of each major educational unit, 2) know the functioning ability of most 1st and 2nd level administrators, 3) have time at meetings to take necessary items for action without delay, and 4) have the time to receive and to know well the expressed needs and desires of the people in the various towns, cities and boroughs of Alaska.

My impressions gained in Alaska have been that the Board of Regents has not been able to fulfill all of these as they relate to community colleges. Further, I have often heard such is the case in the states with a Board of Regents as a single governing board, or where community colleges are part of the University operations. The four governing boards for higher education are currently all engaged in opposing a single governing board concept in Connecticut because they know that each (members of) have difficulty now giving adequate attention to the problems which arise, the necessary planning and coordination, and policy making of the set of colleges or the University, for which they are responsible.

I sincerely believe the present arrangement will not provide sufficient management and governance attention for either the University of Alaska or the community colleges.

2. There should not be a significant cost difference in the administration and operation of the community colleges in Alaska, whether operated by the University of Alaska or if there is a separate board of trustees for the community colleges.

The preponderance of cost should always relate to programs and services offered and carried out - not administration costs on the University of Alaska campus at Fairbanks or in a central office for a board of trustees.

Who knows well at this point the administrative costs - above the college level (director) - for the community colleges? Is it identifiable - all of it - within the University of Alaska budget? Beginning with the Provost, or now Vice Chancellor positions, it probably is.

Remember that several administrative positions and/or parts thereof now on the University of Alaska payroll would be transferred to the administrative team for a separate board of trustees. Hence, there would need be only a very few new positions - perhaps even only one or two.

Also, having a separate board of trustees for community colleges does not mean that the many and varied ways of cooperation among the community colleges and the University of Alaska senior level should cease. Certainly they should not be terminated. The Legislature and the Postsecondary Education Commission should make certain legislation continues cooperation and sharing. For example, the computer-data processing ability of the University of Alaska should probably continue to serve the community colleges on a budget transfer basis.

I cite the fact that in Connecticut we have a separate Board of Trustees for Community Colleges but we cooperate and share in several ways with the University of Connecticut and other state agencies. I think this can be done effectively in Alaska.

3. The basic question asked, I believe, is: What really would be gained by a separate board, as opposed to the present system?

This is partly answered in No. 1: The lay watch-dog, plus sufficient knowledge and time to govern effectively. In addition, the major gain is a chance to assure that there is the necessary means to emphasize and to recognize the community in the term community colleges. Community colleges are not junior colleges. They do not exist primarily to prepare students to continue as juniors in a four year college or university. The transfer function is valuable and important; however, a majority of the people engaged in programs of a community college will not be engaged in a transfer curricula. In mature and well established public community colleges 60% to 70% or more of the total enrollment will be taking vocational oriented curricula or courses, or special skill training non-credit work. These types of study must relate to the needs of each specific region or town or city or village. This is the "community" in community college. There must be a governing board available which can have the time to receive and to consider the suggestions and requests of local advisory councils and the local college heads.

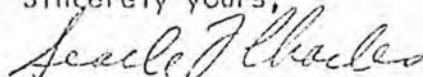
The input of citizens in each locality is very important - even more important, perhaps, in that there is a response by an effective governing board and a cooperative Legislature and Governor.

I am not at all convinced there need be much more in costs in a separate board of trustees arrangement than in Alaska's present structure. My belief is that even if it would cost \$25,000 to \$40,000 a year more for a separate board structure the result in having a truly effective set of public community colleges would be well worth the costs to the people of Alaska. I believe also that it might develop that a separate set of administrators devoting their time and ability and energy to one major purpose - community colleges, might administer more effectively and efficiently than administrative staff with diverse respon-

sibilities - In part to four year curricula of a university and the community college functions.

4. I recommend that careful attention be given to details of any new legislation as it pertains to
 - a. function and mission of community colleges
 - b. local advisory councils (make strong and effective but do not split legal responsibilities of a governing board with an advisory council.)
 - c. cooperation with University of Alaska, local agencies and state agencies (a separate board does not mean a termination of effective cooperation.)
5. A separate board with a more clearly defined budget and with a staff clearly definable, with a prescribed set of job descriptions, should provide the Legislature and the Governor and the Postsecondary Education Commission with a much better knowledge as to costs to operate the community colleges and who is doing what. Responsibility should be more easily assigned and accountability more easily determined.

Sincerely yours,



Searle F. Charles

SFC/ep
Atts.

cc: Representative Kathryn Ostrosky
Chairman, Interim Committee on Higher Education
cc: Postsecondary Education Commission, Att. Mrs. Banfield

Substitute House Bill No. 6102

PUBLIC ACT NO. 75-100

AN ACT CONCERNING THE RESPONSIBILITIES OF REGIONAL
COMMUNITY COLLEGES.

Be it enacted by the Senate and House of
Representatives in General Assembly convened:

Section 1. Section 10-326 of the general
statutes is repealed and the following is
substituted in lieu thereof:

In addition to other powers granted in the
general statutes, authority and responsibility for
the operation of the state's public institutions
of higher education shall be vested in (1) the
board of trustees of The University of Connecticut
which shall have exclusive responsibility for
programs leading to doctoral degrees and post-
baccalaureate professional degrees, (2) the board
of trustees of the state colleges which shall have
special responsibility for the preparation of
personnel for the public schools of the state
including master's degree programs and other
graduate study in education, and authority for
providing liberal arts programs, (3) the board of
trustees of regional community colleges which
shall have [special] responsibility for providing
programs [of study for college transfer, terminal
vocational, retraining and continuing education
leading to occupational certificates or to the
degree of associate in arts and in sciences], AS
ENUMERATED IN SECTION 2 OF THIS ACT, LEADING,
WHERE APPROPRIATE, TO AN ASSOCIATE DEGREE OR
OCCUPATIONAL CERTIFICATE, (4) the board of
trustees of state technical colleges which shall
have responsibility for the state technical
colleges and programs leading to the degree of
associate in applied science and such other
appropriate degrees or certificates as are
approved by the commission for higher education
and for such terminal vocational retraining and
continuing education programs leading to
occupational certificates as are appropriate to a
technical college, and (5) the board for state
academic awards which shall have responsibility
for the award of external degrees and credits
earned by examination and by other forms of
validation and by evaluation of learning,
including transfer of credit; provided the
authority of the boards of trustees of The
University of Connecticut, the state colleges, the
regional community colleges and the state

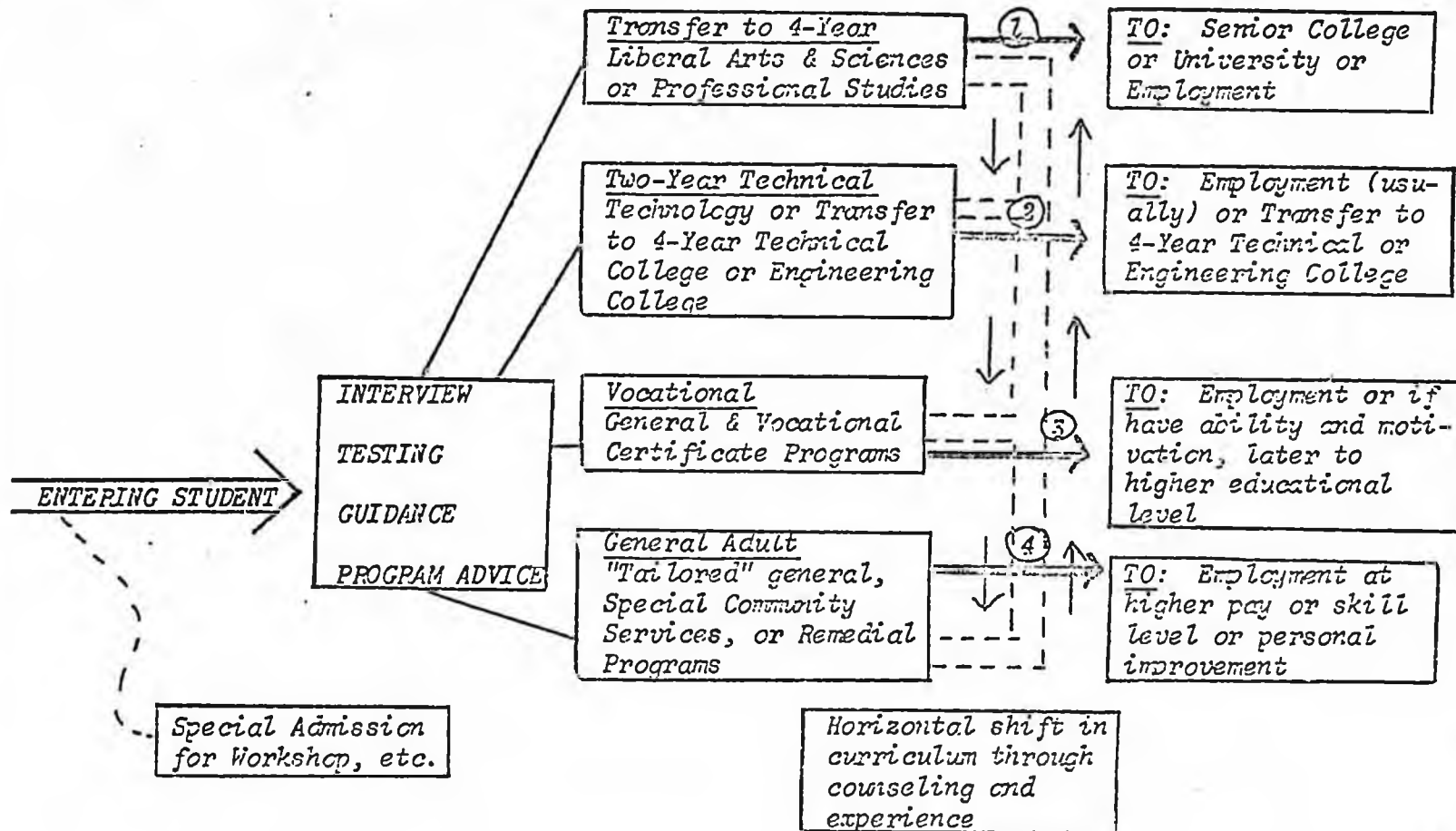
Substitute House Bill No. 6102

technical colleges to award degrees of the respective institutions shall not be affected.

Sec. 2. (NEW) (a) The primary responsibilities of the regional community colleges shall be (1) to provide programs of occupational, vocational and career education designed to provide training for immediate employment, job retraining or upgrading of skills to meet individual, community and state manpower needs; (2) to provide programs of general study including, but not limited to, remediation, general and adult education and continuing education designed to meet individual student goals; (3) to provide programs of study for college transfer representing the first two years of baccalaureate education; (4) to provide community service programs as defined in subsection (b) of this act and (5) to provide student support services including, but not limited to, admissions, counseling, testing, placement, individualized instruction and efforts to serve students with special needs.

(b) As used in this section, "community service programs" means educational, cultural, recreational and community directed services which a community college may provide in addition to its regular academic program. Such community service programs may include, but shall not be limited to, (1) activities designed to enrich the intellectual, cultural and social life of the community, (2) educational services designed to promote the development of skills for the effective use of leisure time, (3) activities and programs designed to assist in the identification and solution of community problems and (4)

THE OPEN DOOR ADMISSION CONCEPT



The open door admission concept in a comprehensive two-year college allows for non-selective admissions, variety in programs, easy procedures to enroll in and withdraw from unsuitable programs, horizontal shifts from one curriculum to another, variety in difficulty, and the quality essential to a particular certificate or degree program.

- ① Associate Degree in Arts and Sciences
- ② Associate Degree in Applied Science
- ③ Diploma or Certificate
- ④ Certificate

Via: Special Delivery

12 Garland Road
West Hartford, Conn. 06107
April 19, 1976

Senator Bill Ray
Capitol - Room 415
Pouch V, Juneau, Alaska 99801

Dear Senator Ray:

Since we did not succeed in timing our coming and going last Thursday afternoon, I am forwarding these comments. I would have stressed these points in talking with you. I call to your attention my recommendations, in part, in Part VI of the McLean Report on Higher Education in Alaska, January 31, 1976. I believe most of them merit consideration whether or not there is a separate board for community colleges.

1. Lay control of public higher education is very important. It assures a more efficient operation, programs more closely related to needs and desires of the state citizenry. It is a necessary balance against excessive dominance of public higher education by professional educators - the administration, as part of management, as well as the union membership.

Effective management and governance of public higher education by lay people demands the trustees or regents 1) be familiar with the purpose and mission of each major educational unit, 2) know the functioning ability of most 1st and 2nd level administrators, 3) have time at meetings to take necessary items for action without delay, and 4) have the time to receive and to know well the expressed needs and desires of the people in the various towns, cities and boroughs of Alaska.

My impressions gained in Alaska have been that the Board of Regents has not been able to fulfill all of these as they relate to community colleges. Further, I have often heard such is the case in the states with a Board of Regents as a single governing board, or where community colleges are part of the University operations. The four governing boards for higher education are currently all engaged in opposing a single governing board concept in Connecticut because they know that each (members of) have difficulty now giving adequate attention to the problems which arise, the necessary planning and coordination, and policy making of the set of colleges or the University, for which they are responsible.

I sincerely believe the present arrangement will not provide sufficient management and governance attention for either the University of Alaska or the community colleges.

2. There should not be a significant cost difference in the administration and operation of the community colleges in Alaska, whether operated by the University of Alaska or if there is a separate board of trustees for the community colleges.

The preponderance of cost should always relate to programs and services offered and carried out - not administration costs on the University of Alaska campus at Fairbanks or in a central office for a board of trustees.

Who knows well at this point the administrative costs - above the college level (director) - for the community colleges? Is it identifiable - all of it - within the University of Alaska budget? Beginning with the Provost, or now Vice Chancellor positions, it probably is.

Remember that several administrative positions and/or parts thereof now on the University of Alaska payroll would be transferred to the administrative team for a separate board of trustees. Hence, there would need be only a very few new positions - perhaps even only one or two.

Also, having a separate board of trustees for community colleges does not mean that the many and varied ways of cooperation among the community colleges and the University of Alaska senior level should cease. Certainly they should not be terminated. The Legislature and the Postsecondary Education Commission should make certain legislation continues cooperation and sharing. For example, the computer-data processing ability of the University of Alaska should probably continue to serve the community colleges on a budget transfer basis.

I cite the fact that in Connecticut we have a separate Board of Trustees for Community Colleges but we cooperate and share in several ways with the University of Connecticut and other state agencies. I think this can be done effectively in Alaska.

3. The basic question asked, I believe, is: What really would be gained by a separate board, as opposed to the present system?

This is partly answered in No. 1: The lay watch-dog, plus sufficient knowledge and time to govern effectively. In addition, the major gain is a chance to assure that there is the necessary means to emphasize and to recognize the community in the term community colleges. Community colleges are not junior colleges. They do not exist primarily to prepare students to continue as juniors in a four year college or university. The transfer function is valuable and important; however, a majority of the people engaged in programs of a community college will not be engaged in a transfer curricula. In mature and well established public community colleges 60% to 70% or more of the total enrollment will be taking vocational oriented curricula or courses, or special skill training non-credit work. These types of study must relate to the needs of each specific region or town or city or village. This is the "community" in community college. There must be a governing board available which can have the time to receive and to consider the suggestions and requests of local advisory councils and the local college heads.

The input of citizens in each locality is very important - even more important, perhaps, in that there is a response by an effective governing board and a cooperative Legislature and Governor.

I am not at all convinced there need be much more in costs in a separate board of trustees arrangement than in Alaska's present structure. My belief is that even if it would cost \$25,000 to \$40,000 a year more for a separate board structure the result in having a truly effective set of public community colleges would be well worth the costs to the people of Alaska. I believe also that it might develop that a separate set of administrators devoting their time and ability and energy to one major purpose - community colleges, might administer more effectively and efficiently than administrative staff with diverse respon-