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HHES S

HB

343

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HB

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HB

343

THE LEGISLATURE OF THE STATE OF ALASKA -
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill 343
 Title An Act Relating to Post Retirement Pension Adjustments for Teachers
 Requested by Representative Miller Date 3/29/77

II. FISCAL DETAIL
 Agency Affected Administration--Division of Retirement and Benefits
 Program Category Affected Education and General Government
 Budget Request Unit(s) Affected DOE, U of A, TRS Match,

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	5.0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	4258.6	4769.6	INCREASE ABOUT 12% PER YEAR		
100 BENEFITS (DOE, U of A)	0	827.8	927.1	INCREASE ABOUT 12% PER YEAR		
TOTAL		5091.4	5696.7			

FUNDING (Thousands of Dollars)

GENERAL FUND	0	5086.4	5696.7	INCREASE ABOUT 12% PER YEAR		
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify)	0	0	0	0	0	0
TRS	0	5.0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

1. Estimated covered payroll for FY78 is \$214,000,000.
2. Contribution rate for State (including TRS match) will increase by 3.98% of covered payroll.
3. Payroll estimated to increase about 12% per year.
4. See attachment for cost analysis.

IV. DATE March 28, 1977 PREPARED BY *Robert S. Sater*
 AGENCY Division of Retirement and Benefits
 PHONE 465-4460
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

ATTACHMENT

Bill/Resolution No. HB 343ASSUMPTIONS:

1. Estimated FY78 Payroll (Total System) = \$214,000,000
2. State Contribution Rate to Fund Bill = 1.99%
3. State TRS Matching Rate to Fund Bill = 1.99%
4. School District Rate to Fund Bill = 1.99%

COST ANALYSIS:

<u>Employer</u>	<u>Payroll</u>	<u>Rate</u>	<u>Cost</u>	<u>Appropriation</u>
1. Department of Education	\$ 3,600,000	X 1.99%	\$ 71,640	To Their Budget
2. University of Alaska	\$ 38,000,000	X 1.99%	\$ 756,200	To Their Budget
3. State TRS Matching	\$214,000,000	X 1.99%	\$4,258,600	To TRS Match
4. State TRS Regular Budget				
Personnal Services			\$ 0	To Personal Services
Travel			\$ 0	To Travel
Contractual			\$ 5,000	To Contractual
Equipment			\$ 0	To Equipment
TOTAL COST TO STATE			\$5,091,440	
5. All School Districts	\$172,400,000	X 1.99%	\$3,430,760	
TOTAL COST TO SYSTEM			<u>\$8,522,200</u>	

REMARKS:

Estimated costs for data processing system modifications are \$5,000. This would be a one time only expenditure.

HB

344

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 8, 1977

SUBJECT: Confirmation of University of Alaska
President (Work Order #3480)

TO: Representative Hugh Malone
Speaker of the House

Representative Steve Cowper

FROM: Richard A. Bradley
Legislative Counsel

You have requested a bill requiring legislative confirmation of the president of the University of Alaska. Under the constitution (art. VII, §3), the president is appointed "in accordance with law" by the board of regents. Unless unusual legal problems exist, a simple change in the law at AS 14.40.170(a)(1) will accomplish your request. You also requested a memorandum of law on the points raised.

In our view, the bill you propose raises questions in two areas:

(1) Whether the mandate to the board of regents to "appoint the president of the university" "in accordance with law" allows the legislature to require confirmation of the president.

(2) Whether the legislative confirmation case, Bradner v. Hammond, 55 P.2d 1 (Alaska 1976) has any implications for this situation.

The first question involves the construction of art. VII, §3 of the constitution. The section provides:

The University of Alaska shall be governed by a board of regents. The regents shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board. [Emphasis added]

Representative Hugh Malone
Representative Steve Cowper
March 8, 1977
Page #2

The constitution explicitly requires confirmation of the regents; the president is appointed by the regents "in accordance with law." This language gives the legislature the authority to establish standards or procedures which the regents must comply with or follow in appointing the president; in my opinion, it authorizes the legislature to require, by law, a legislative confirmation of the appointment of the president by the board.

The legislature has apparently not sought to establish by law any procedures or conditions for the board to follow or to meet in its appointment of the president. Review of AS 14.40.120-14.40.270, an article entitled "Board of Regents and President" indicates that the board presently exercises full and unconditioned discretion in its responsibility for the appointment of the president. The only statutory provision on this subject restates the constitutional grant of authority:

The Board of Regents shall: (1) appoint the president of the university by a majority vote of the whole board,... [AS 14.40.170(a)].

It is clear that the legislature could establish qualifications which the board would have to follow in making the appointment. It may constitutionally require that the president have certain academic degrees, that the president have certain experience, that the recruitment of the president be carried out in a specified fashion, or that the president meet other statutory qualifications it sets. It is also my opinion that the legislature can establish a requirement that the appointment by the board be subject to legislative confirmation.

A grant of authority from a state constitution to a legislature for its implementation or execution of a program required in general terms by the constitution typically occurs by the use of the phrase "in accordance with law" or "by law." See, e. g., art. II, §4: A vacancy in the legislature shall be filled...as provided by law" and art. IV, §1: The jurisdiction of courts shall be established by law." When the constitution gave the board of regents the authority to appoint the president of the university "in accordance with law," the writers of the constitution intended that the legislature set the conditions and qualifications of the president. That he be confirmed by the legislature is an appropriate condition established by the legislature "in accordance with law."

Accordingly, I believe that the constitution of the State of Alaska authorizes the legislature to require the appointment of the president by the board of regents be subject to legislative confirmation.

Representative Hugh Malone
Representative Steve Cowper
March 8, 1977
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The remaining question is whether Bradner v. Hammond, supra, poses any difficulties for legislative confirmation of the president of the university. In my judgment, the law of that case poses no difficulty for a law requiring legislative confirmation.

The first and perhaps the most direct reason is that the litigation known as Bradner v. Hammond undoubtedly would not have occurred if the provisions in art. III of the constitution dealing with executive appointments had had language stating that appointments of executive officers should be made "in accordance with law." The significant legal fact arising out of the process of executive appointments in the principal departments [except for the department's "head"] is that the constitution is silent; in such a case, the supreme court in Bradner was forced to determine "the maximum parameters of the delegation of executive appointive authority through the legislative confirmation function" [Bradner, supra, at 7]. The court concluded that the legislative confirmation function "will not be inferred in the absence of an express constitutional provision," [Bradner, supra, at 7]. In my judgment, a provision providing that "deputy commissioners and the directors of the divisions in the principal executive departments will be appointed in accordance with law" would have reversed the supreme court's opinion.

Additional reasons why Bradner is not apropos to this situation may be stated. Chapter 82 SLA 1975, the law challenged by the governor in Bradner, was concerned only with appointments to the principal executive departments. Whatever the university's legal status* it seems clear beyond doubt that the university is not a principal executive department nor is it a "regulatory or quasi-judicial agency" [art. III, §26]. The appointment of the president is not prerogative of the governor under art. III but the responsibility of the board of regents, "in accordance with law," under art. VII.

I am of the opinion that there are no constitutional provisions limiting the legislature in the exercise of its discretion to require legislative confirmation of the appointment of the president of the university. Accordingly, attached you will find a bill responsive to your request.

RAB:smh

*Art. VII, §§ 2 and 3, Alaska Constitution and see University of Alaska v. National Aircraft Leasing Ltd., 536 P.2d 121 (Alaska 1975); see also Billy G. Berrier's opinion of March 1, 1977 to Chairman Sackett of the Senate Finance Committee on that question.

MINUTES OF HOUSE HESS COMMITTEE

April 4, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Members present: Parr, Nakak, Chatterton, Ose and Phillips with Dr. Beirne and Mr. Cotten coming in later.

Absent: Bennett & Buchholdt

Committee Substitute for HB 205 was passed around for signature.

Bills before the committee today were: HCR 36, HB 360, HB 361, HB 362, BH 363 and HB 344. Chairman Parr announced that Mr. Larry Peska from Legislative Audit was present to answer any questions. Mr. Parr also announced that there were two Committee Substitutes before the committee, one that he had made up and one that Representative Miles had prepared, both regarding HB 361.

Both Committee Substitutes were gone over Section by Section and discussed. There was discussion by the members and those present as to how the federal monies for the University are presently handled. Mr. Parr felt there would be a lot of grant money the University would lose if it was run through the State. Mr. Peska stated most of the grants are being passed through the State now. Mr. Chatterton stated there were a lot of grants that were not federal and said some of the corporations etc. that make grants to the University now would not be so eager to make them to the State.

There was discussion as to the transfer of funds within the University now.

With reference to bringing the University under the State accounting guidelines, there was much discussion as to whether the word "Shall" should be used or "may". It was the feeling that the Commissioner of Administration should not run or manage the university, just maintain the accounting procedure.

HB 361

Action

With reference to HB 361, Mr. Ose moved that line 24 be amended to read after the word "Alaska" insert "and" and change the word "setting" to "set." There being no objection the motion carried.

HB 361 Action Mr. Parr moved on line 27 to delete the word "comptroller" and insert "Board of Regents". There being no objection the motion carried.

HB 361 Action Mr. Chatter moved to adopt Mr. Miles Section 7 of his committee substitute in place of Mr. Parr's. There being no objection the motion carried.

HB 361 Action Mr. Chatterton moved to pass out HB 361 as a committee substitute as amended. There being no objection, the motion carried.

HB 362 Action Mr. Parr asked the committee's pleasure of HB 362. Mr. Ose moved to pass it out of committee. There being no objection the motion carried.

HCR 36 ACTION Mr. Parr asked the committee's pleasure on HCR 36. Mr. Chatterton moved to table the bill. There being no objection, the bill was tabled.

HB 344 Action Mr. Parr asked the committee's pleasure on HB 344. Mr. Chatterton moved that it be passed out with individual recommendations. After discussion Mr. Chatterton withdrew his motion and offered a motion to table the bill. Mr. Phillips objected. After discussion on the bill, a vote was taken and the motion to table the bill passed.

HB 360 Action The next bills before the committee were HB 360 and HB 363. With reference to HB 360, Dr. Beirne said he was not sold on a manager team. Mr. Phillips spoke in favor of it. Mr. Chatterton then moved to table HB 360 and 363. Dr. Beirne seconded the motion. After discussion on the motion, Mr. Chatterton eliminated HB 363 from his motion. The motion to table HB 360 carried.

HB 363 Action The next bill before the committee was HB 363. Mr. Ose moved to pass the bill out. There being no objection, the motion carried.

Mr. Parr announced to the Committee that a piece of legislation has been introduced by Lisa Rudd asking the Regents not to rehire Hiatt. He said he had heard by the grapevine that they weren't going to keep him on anyway but just wanted to alert the committee that there was the possibility of another bill regarding the University coming before the Committee.

Mr. Parr then passed a breakdown by district on a fiscal note to the committee regarding HB 212 which will be before them at the meeting tomorrow and asked the committee to look it over before the next meeting.

The meeting adjourned at 4:40 p.m.

HB

360

University of Alaska

Office of the President

Special Report to the Legislature of the State of Alaska

The appointment of a three-member management team to help rebuild the internal management systems of the University of Alaska was announced today by President Charles O. Ferguson.

The team will "assemble in Fairbanks next Wednesday and immediately get down to work," Ferguson said.

Two of the team members are Dr. Armen Sarafian, president of La Verne College in California, and Leonard Prose of New York, a partner in the national and international accounting firm of Main Lafrentz & Co.

Several persons are under consideration for the third position on the team and Ferguson said he expects to make the final appointment by next Wednesday.

The university president said he was guided by recommendations of the university's Board of Regents, legislators and the state administration in arriving at the team concept and in his selection of team members.

The team's role, he said, will be to evaluate and monitor the university's management systems and make reports and recommendations to the regents on needed improvements in the design and operation of these systems working with and through the president.

"Situations may arise," he said, "wherein it will be necessary for the management team to have direct access to the Board of Regents."

With Prose will come a task force from Main Lafrentz which will concentrate its efforts on the university's financial systems, Ferguson said. Other consultants may be retained by the management team to look at such areas as grants and contracts and budget development and reporting, he added.

The financial details of employing the management team are now being worked out and will be submitted to the regents for final approval, Ferguson said.

The State Department of Administration is now developing new accounting and policy guidelines under which the university will operate and the university will work with the department to implement these guidelines, the president said.

Prose, director of management services for Main Lafrentz's eastern region, is in charge of computer operations in the New York office and in this capacity supervises

- over -

A Statewide System of Higher Education

a staff of systems analysts and programmers performing consulting and auditing services for clients and operating an in-house computer.

Recently Prose has directed the design and implementation of a computer system for Colgate University and a computer auditing system for U.S. Navy food services. He has also directed a survey of the State of Vermont's management procedures and the design of a computer system for registration of students and grade processing at New York's College of Insurance.

Sarafian, president of La Verne College for just over a year, was brought in by the institution's board of trustees to deal with an internal financial crisis, said Ferguson. The college had a slumping enrollment and faced a \$1 million budget deficit. This year the college had a 36 per cent enrollment increase and will enjoy a budget surplus, he said.

In addition to serving as La Verne president, Sarafian is adjunct professor at the University of Southern California where he teaches higher education management and administration, curriculum development and instruction. He also serves on the State of California's Community College Finance Committee and is a former member of a select committee charged with developing a master plan for higher education in California.

MEMORANDUM OF AGREEMENT
BETWEEN
THE UNIVERSITY OF ALASKA BOARD OF REGENTS
AND
THE ALASKA STATE LEGISLATURE

I. Fiscal Management Team.

The Management Team will consist of three full-time individuals working within the University administration as full-time fiscal managers. Two of the three members shall be Alaskans. The individuals selected shall have qualifications in management and finance, shall be outside the University structure, and shall have demonstrated competence in the organization and management of large organizations. The Management Team will be chosen by the Board of Regents. The Legislature as a body, or through delegation to the Legislative Budget and Audit Committee, shall approve the Regents' selections. The Management Team will be a temporary operation to assist the University of Alaska correct its financial management problems, and will terminate on June 30, 1978.

The Management Team shall have four functions: to study, identify, recommend, and implement needed changes in the administration of the University of Alaska. Areas of concern that shall be considered include management procedures, staffing personnel of the central administration, FY 78 and FY 79 budget documentation, fiscal administration, business practices, and physical plant management.

The Management Team shall report, in writing, directly to the Board of Regents and shall send copies of all recommendations in writing to the Legislature and the President, or Acting President, of the University. The Management Team will work withing the administration of the University of Alaska to implement those recommendations adopted by the Board of Regents.

II. University of Alaska.

The Board of REgents will have the sole authority to decide which recommendations shall be implemented and to direct the implementation of those recommendations subject to spending approval by the Legislative Budget and Audit Committee. The Board of Regents shall meet monthly while the Management Team is in existence to consider its studies and recommendations. The Regents must act on each recommendation presented by the Management Team. The Board of Regents shall file a monthly report to the Legislature with copies to the Management Team and the President of the University on the status of all recommendations. This monthly report shall delineate what action has been taken on each recommendation and the reasons for that action. If no action is taken on a recommendation the reasons shall be stated. A cumulative status of the implementation of all recommendations shall also be contained in each monthly report.

III. The Legislature.

The Legislature shall have the responsibility of providing adequate appropriations to fund the operations of the University of Alaska, the Management Team, and the Board of Regents. The Legislature shall implement necessary remedial legislation to improve the University of Alaska system.

In conformity with the proposed legislative intent of the House Finance Committee for the FY 78 budget, the Legislative Budget and Audit Committee shall monitor the recommendations of the Management Team, the Board of Regents' monthly status report on recommendations, the implementation of those recommendations for which funding has been approved, and the monthly financial status reports of the University. Based on the FY 78 budget documentation provided by the Management Team and the Board of Regents, the Legislative Budget and Audit Committee shall approve a base-line for the preparation of the University's FY 79 budget request.

March 30, 1977

Dr. Hugh Fate, President
Board of Regents
University of Alaska

Dear Dr. Fate:

This letter is meant to serve as a memorandum of understanding between the Legislature and the Board of Regents as to the methods by which the Regents undertake to resolve the management crisis at the University of Alaska.

While President Ferguson is a capable person, he cannot do this job alone. The Regents will therefore retain temporary specialists to find out what steps must be taken, and in appropriate cases to see that these recommendations are in fact adopted within the University system. All these specialists will be hired by the Regents, and will be answerable only to the Regents, although it is understood that they will necessarily have to work with the President.

The specialists will make their recommendations directly to the Regents, with copies to the Legislative Budget and Audit Committee. Recommendations shall be made on at least a monthly basis, and the Board shall act on each recommendation within 30 days of receipt. Contracts for the specialists may be signed by the University, but funding will be available only upon approval by the Committee. The Regents should bear in mind that "consultants" often have no stake in achieving the objective and that implementation is probably more important in this instance than recommendations.

Representatives of the Budget and Audit Committee, including members, staff, and contractual employees, shall have direct access to any information related to the management of the University and shall have the right to interview and examine the records of any employee of the University. The Legislative Auditor shall have the same right of access as exists with respect to every other State agency.

The Board of Regents will have the sole authority to decide which recommendations are to be implemented, and to direct the implementation subject to funding by the Legislative Budget and Audit Committee. All policy disagreements between the President and any specialists shall be reported to the Regents for resolution, and the Budget and Audit Committee (or its authorized representative) shall be notified of any such disagreements.

The Regents will file a monthly report, preferably approximately ten days before the monthly meeting of the Budget and Audit Committee, with the Chairman of that Committee or

his designate. The Budget and Audit Committee will notify the Board of Regents from time to time as to what information must be contained in the report.

The Regents shall designate the Chairman of the Regents' Finance Committee to oversee the implementation of the recommendations approved by the Board.

The Legislature in the meantime is considering certain legislation relating to the management of the University of Alaska, including (but not limited to) requiring the Regents to retain a Comptroller directly under their jurisdiction, placing the University under the Executive Budget Act and the Fiscal Procedures Act, and requiring the University to conform its payroll and accounting systems to those of the State of Alaska.

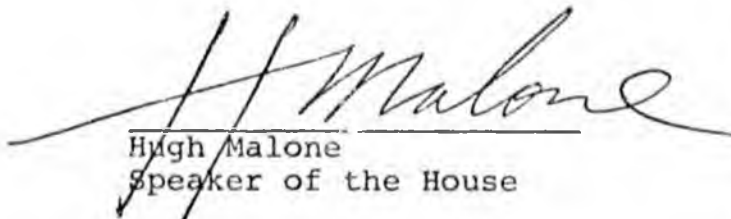
If these conditions are in accordance with the Board's understanding, please sign this letter in the bottom left-hand corner and return it to me. We believe the Board and the Legislature will be able to work closely together in this effort, and we look forward to the task.

Very truly yours,

Agreed:

Dr. Hugh Fate, President
Board of Regents
University of Alaska

John Rader
President of the Senate

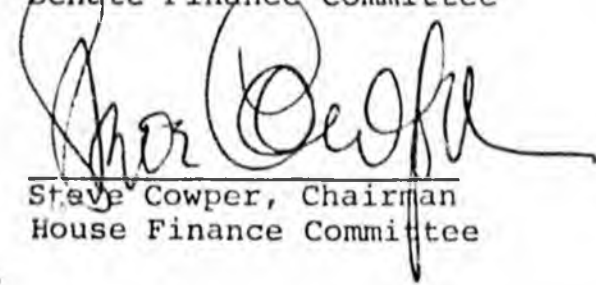


Hugh Malone
Speaker of the House

Edward Rasmuson
Chairman, Finance Committee
Board of Regents

George Hohman, Chairman
Budget & Audit Committee

John Sackett, Chairman
Senate Finance Committee



Steve Cowper, Chairman
House Finance Committee

the governor shall issue a proclamation of reapportionment and redistricting. An accompanying statement shall explain any change from the plan of the board. The reapportionment and redistricting shall be effective for the election of members of the legislature until after the official reporting of the next decennial census.

Enforcement

SECTION 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause shall be reviewed by the supreme court upon the law and the facts.

ARTICLE VII

HEALTH, EDUCATION, AND WELFARE

Public
Education

SECTION 1. The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

State
University

SECTION 2. The University of Alaska is hereby established as the state university and constituted a

Board of
Regents

body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be administered and disposed of according to law.

SECTION 3. The University of Alaska shall be governed by a board of regents. The regents shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.

Public
Health
Public
Welfare

SECTION 4. The legislature shall provide for the promotion and protection of public health.

SECTION 5. The legislature shall provide for public welfare.

ARTICLE VIII

NATURAL RESOURCES

Statement
of Policy

SECTION 1. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

General
Authority

SECTION 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Common
Use

SECTION 3. Wherever occurring in the natural state, fish, wildlife, and waters are reserved to the people for common use.

Sustained
Yield

SECTION 4. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to

Sec. 14.40.290. Property and funds generally. (a) The University of Alaska shall hold all property acquired by it. The Department of Administration, upon requisitions by the Board of Regents signed by its president and secretary, shall pay to the treasurer of the Board of Regents all federal land grant college funds coming into the possession of the Department of Administration and subject to requisition by the Board of Regents and shall disburse federal funds in aid of land grant colleges in accordance with the federal statute providing for disbursement.

(b) All funds appropriated by the legislature for the building, conduct, maintenance and support of the University of Alaska shall, on requisition by the Board of Regents signed by its president and secretary, be paid by the Department of Administration to the treasurer of the Board of Regents. The treasurer of the Board of Regents shall disburse these funds on properly drawn vouchers signed by its president and secretary, or by such other administrative officer as the Board of Regents delegates to perform these services. (Sec. 37-10-4 (a)--(c) ACLA 1949; (c) repealed Sec. 1 ch 38 SLA 1968)

Sec. 14.40.295. Working capital reserve fund. (a) There is established in the treasury of the University of Alaska the University of Alaska working capital reserve fund. The fund consists of money appropriated by the legislature for the purpose of providing current working capital for the University of Alaska and is not available for appropriation by the Board of Regents.

(b) A quarterly report of all activity of the working capital reserve fund shall be submitted to the Legislative Budget and Audit Committee. (Sec. 1 ch 50 SLA 1973)

Sec. 14.40.300. Creation and appointment of comptroller. The Board of Regents may create the office of comptroller of the university, fix the salary and determine the duties of the office. The Board of Regents may fill the office. (Sec. 37-10-4- (d) ACLA 1949)

Sec. 14.40.310. Fiscal year. The fiscal year of the University of Alaska begins on July 1 and closes at midnight on the following June 30. (Sec. 37-10-4 (e) ACLA 1949; am Sec. 3 art VI ch 82 SLA 1955)

Sec. 14.40.320. Requisitions on funds. Requisitions on federal funds and state appropriations shall be based upon estimates of the amounts required quarterly. (Sec. 37-10-4 (f) ACLA 1949)

Sec. 14.40.330. Inventory of property. The Board of Regents shall maintain or cause to be maintained a perpetual inventory of all permanent property of the university. (Sec. 37-10-4 (g) ACLA 1949; repealed and reenacted Sec. 2 ch 38 SLA 1968)

Sec. 14.40.340. Applicability of bid practices to University of Alaska. The competitive bid practices set forth in AS 37.05.230 apply to the University of Alaska, except that the provisions of that act do not apply in those cases where the work is to be performed substantially by students enrolled in the university. Where the term "purchasing agent" is used in AS 37.05, it means the comptroller of the university. (Sec. 1 ch 86 SLA 1957)

Sec. 14.40.350. Board of Regents authorized to lease lands. The Board of Regents may execute leases for mining, agriculture, or other purposes to the lands granted for the benefit of an agricultural college and school of mines for Alaska by the Act of Congress approved March 4, 1915, for such time and at such rent or royalty as may seem just and as provided by law. (Sec. 37-10-11 ACLA 1949)

Sec. 14.40.360. Board of Regents authorized to select and to sell or lease lands granted by Act of Congress. The Board of Regents may select the lands granted to Alaska by the Act of Congress approved January 21, 1929, and may sell or lease them and deposit the proceeds in the state treasury in conformity with that Act. (Sec. 37-10-13 ACLA 1949)

Sec. 14.40.370. Books of account and statement of trust funds. The Board of Regents shall have suitable books of account kept in which there shall be recorded each gift, the essential facts of the management of the gift, and the expenditure of the income. A statement of all trust funds shall be included in the annual report to the governor. (Sec. 37-10-22 ACLA 1949)

MINUTES OF HOUSE HESS COMMITTEE

April 4, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Members present: Parr, Nakak, Chatterton, Ose and Phillips with Dr. Beirne and Mr. Cotten coming in later.

Absent: Bennett & Buchholdt

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HB 361

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- HB 362
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Ose moved to pass it out of committee. There being no objection
the motion carried.
- HCR 36
Action Mr. Parr asked the committee's pleasure on HCR 36.
Mr. Chatterton moved to table the bill. There being no objection,
the bill was tabled.
- HB 344
Action Mr. Parr asked the committee's pleasure on HB 344.
Mr. Chatterton moved that it be passed out with individual
recommendations. After discussion Mr. Chatterton withdrew his
motion and offered a motion to table the bill. Mr. Phillips
objected. After discussion on the bill, a vote was taken and
the motion to table the bill passed.
- HB 360
Action The next bills before the committee were HB 360 and
HB 363. With reference to HB 360, Dr. Beirne said he was
not sold on a manager team. Mr. Phillips spoke in favor of
it. Mr. Chatterton then moved to table HB 360 and 363.
Dr. Beirne seconded the motion. After discussion on the motion,
Mr. Chatterton eliminated HB 363 from his motion. The motion
to table HB 360 carried.
- HB 363
Action The next bill before the committee was HB 363. Mr. Ose
moved to pass the bill out. There being no objection, the motion
carried.
- Mr. Parr announced to the Committee that a piece of
legislation has been introduced by Lisa Rudd asking the Regents
not to rehire Hiatt. He said he had heard by the grapevine
that they weren't going to keep him on anyway but just wanted
to alert the committee that there was the possibility of another
bill regarding the University coming before the Committee.
- Mr. Parr then passed a breakdown by district on a fiscal
note to the committee regarding HB 212 which will be before them
at the meeting tomorrow and asked the committee to look it over
before the next meeting.

The meeting adjourned at 4:40 p.m.

HB

3801

33 years
1 may (Kelly)
6 excused

Original sponsors: Buchholdt
and Ose

Offered: 3/31/77
Referred: Finance

IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

CS FOR HOUSE BILL NO. 381

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making a special appropriation to the Department of Education, division of libraries and museums, to provide grant funds for the construction of comfort station facilities at the Colony Village Museum and Tourist Center and the agricultural museum at the Tanana Valley Fairgrounds; and providing for an effective date."

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

* Section 1. The sum of \$46,000 is appropriated from the general fund to the Department of Education, division of libraries and museums, to be available for a capital improvement grant for construction of a comfort station for women and children at the Colony Village Museum and Tourist Center located at mile 40, Glenn Highway and owned and operated by the Alaska State Fair Historical, Educational and Arts Foundation, Inc., a nonprofit corporation.

* Sec. 2. The sum of \$45,000 is appropriated from the general fund to the Department of Education, division of libraries and museums, to be available for a capital improvement grant for the construction or improvement of comfort station facilities serving the agricultural museum operated by the Tanana Valley Fair Association and located on the Tanana Valley Fairgrounds.

* Sec. 3. The unexpended and unobligated portion of this appropriation lapses into the general fund June 30, 1978.

* Sec. 4. This Act takes effect July 1, 1977.

THE FOLLOWING FIGURES WERE OBTAINED FROM THE OFFICE OF THE STATE FAIR

Palmer, Alaska

Population; 1,643

Telephone 745-4827

State Fair Daily Attendance - 1975

August 22, through Sept. 1

State Fair Daily Attendance - 1976

August 27, through Sept. 6

Aug. 22, Friday	8,752
Aug. 23, Saturday	24,533
Aug. 24, Sunday	28,725
Aug. 25, Monday	7,644
Aug. 26, Tuesday	5,817
Aug. 27, Wednesday	6,480
Aug. 28, Thursday	8,342
Aug. 29, Friday	8,594
Aug. 30, Saturday	15,049
Aug. 31, Sunday	12,919
Sept. 1.	11,300

Aug. 27, Friday	9,480
Aug. 28, Saturday	26,233
Aug. 29, Sunday	28,124
Aug. 30, Monday	9,830
Aug. 31, Tuesday	5,294
Sept. 1, Wednesday	6,333
Sept. 2, Thursday	8,234
Sept. 3, Friday	9,322
Sept. 4, Saturday	16,149
Sept. 6, Monday	11,081

Total: 137,155

Total: 147,323

REFERENCE THELMA BUCHHOLDT'S SPECIAL APPROPRIATION BILL
REGARDING ALASKA STATE FAIR HISTORICAL, EDUCATIONAL AND ARTS
FOUNDATION, INC.,

COST TO CONSTRUCT COMFORT STATION FOR WOMEN AND CHILDREN.
THE STRUCTURE TO CONFORM TO THE REQUIREMENTS OF THE UNIFORM
BUILDING CODE, UNIFORM PLUMBING CODE, NATIONAL ELECTRIC CODE,
AND AMERICAN NATIONAL STANDARD FOR THE HANDICAPPED, AND THE
ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES IS DLRS45,356.

THIS INCLUDES 10 TOILETS AND 5 WASH BASINS.

COST BREAK OUT:

ALUMINUM ROOF	2,436.
CONCRETE MASONRY UNITS	12,500.
TOILET PARTITIONS	2,200.
CONCRETE AND EXCAVATION	6,200.
3 HOLLOW METAL DOORS/FRAMES	1,200.
SHEETROCK	700.
TOILET FIXTURES	2,733.
ROUGH PLUMBING	5,243.
SANITARY DISPOSAL DEPTIC	5,000.
PAINT INTERIOR AND EXT	4,000.
VANITY	1,000.
RUBBER BASE	250.
ROOF SHEATHING	900.
TRUSSES	330.
TOTAL	43,556.
ARCHITECTURAL FEE	2,250.
GRAND TOTAL	45,356.

THIS STRUCTURE TO SERVICE COLONY VILLAGE, MUSEUM, AND
TOURIST CENTER LOCATED AT MILE 4.3 ON THE CLEEN HIGHWAY
AND INCLUDING THE OLD ST. JOHNS LUTHERAN CHURCH, THE WINICH
COLONY BARN, THE LIEBING COLONY FARM HOUSE, TH WHITNEY
SECTION HOUSE AND THE COLONY VILLAGE SQUARE WITH
BICENTENNIAL FLAG POLES.

EXISTING FACILITIES SUB-STANDARD AND INADEQUATE FOR
WOMEN AND CHILDREN. MALE FACILITIES ARE ADEQUATE FOR THE
PRESENT.

CONTACT ARCHITECT, BILL FIM, ANCHORAGE, PHONE 276-1925
FOR FURTHER DETAILS.

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Palmer, Alaska

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State Fair Daily Attendance - 1976

August 27, through Sept. 6

Aug. 27, Friday	9,480
Aug. 28, Saturday	26,233
Aug. 29, Sunday	28,124
Aug. 30, Monday	9,830
Aug. 31, Tuesday	5,294
Sept. 1, Wednesday	6,333
Sept. 2, Thursday	8,234
Sept. 3, Friday	9,322
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Sept. 6, Monday	11,081

Total: 137,155

Total: 147,323

Alephs

Please get the information in support of the restroom bill:

Call John Hale in Palmer: 745-3510

1) Population of Palmer:

2) State Fair attendance last year: 1976

a) Daily attendance:

- 1st Day
- 2nd Day
- 3rd Day

Marsha
Mellon
745-1100 4827



etc. to last day

obtain the figures on a daily attendance basis, if available.

3) For growth comparison, ask for attendance data in 1975... get daily attendance breakdown as well.

My bill is being considered in HESS this p.m. so it's important that we have the answers before 3.

Thanks.

Thelma

Copy

FROM THE OFFICE OF THE STATE FAIR - PALMER:

745-4827

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August 22, through Sept. 1

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11.	11,081

Total: 147,323

TELEGRAM

POA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

1977 MAR 16 PM 8 41

02133 NL TDA PALME AK 201 03-16 539P AST

PMS JIM BALDWIN LEGISLATIVE AFFAIRS 465-4627

1698
STATE CAPITOL

JUNEAU AK 99811

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ROUGH PLUMBING	3,333.
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JOHN HALE MANAGER
ALASKA STATE FAIR