

HR 430 - HR 493
THESE

HB

415

COMMENTS ON HB 415
RELATING TO DECENTRALIZATION OF U OF A

There is quite a possibility for confusion and a lack of clarity in lines of responsibility in the language in Section 1.

In lines 13-16 the language indicates that the Chancellor would operate "under the control of and in accordance with rules established by the Board of Regents and the president of the University" (underlining added). However, lines 17-18 state that the Chancellor is directly responsible to the Regents. It does not appear logical to have the Chancellor responsible directly to the Regents and yet under the supervision and control of the Regents and the President. The President would have difficulty exercising supervision and control over a Chancellor not directly responsible to him.

In Section 2(1) again the rules and policies to be implemented are those of the Regents and the President.

The dichotomy could be corrected by striking the words "and directly responsible to" in lines 17 and 18.

In order to avoid possible confusion in Section 2 and to make clear that the functions listed in (2)-(6) are to be carried out under rules and policies of the Regents and the President, the first paragraph of Section 2 should be re-written as follows: "Under policies established by the Board of Regents and administrative rules and procedures adopted by the Board of Regents and under the supervision and direction of the president, the chancellor of each unit of the University established in Sec. 10(b) of this chapter shall, in relation to the unit of the University under his supervision,..."

Eliminate (1)

Renumber (2)-(6) to (1)-(5)

If one wanted to be more precise and to differentiate clearly between policies, which are normally established by the governing board, and administrative rules and procedures for implementing these policies, which are normally promulgated by the president and approved by the board, the language in Sec. 1, lines 13-18 might be changed as follows:

"Subject to the policies of the Board of Regents and administrative rules and procedures promulgated by the president and approved by the Board, and under the supervision and direction of the president, the operation and affairs of each unit of the University, with the exception of the Community College unit, shall be supervised locally by a chancellor appointed by the Board of Regents."

ep

MINUTES OF HOUSE HESS COMMITTEE MEETING

April 25, 1977

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

Absent: Ose, Bennett, Chatterton.

HB 410,
415
493
McKinnon

Chairman Parr stated HB 410, 415 & 493 were on the agenda and asked Representative McKinnon, prime sponsor of HB 410 to testify. Mr. McKinnon said the problem as he sees it is the differences of the purposes and goals between a Community College and the University of Alaska have gone unrecognized which he felt was due largely because the Board of Regents are insulated from the philosophy of what a community college should do. He felt Community Colleges weren't consistent with a university's program. He felt regardless of any reorganization that could take place in the University system, it still wouldn't change the fact the the central administration won't act as a buffer between the Regents and the Community College. Stated he felt this bill would create a separate governing body for the Community Colleges. He passed out a sheet that showed the organizational structure as it would be set up under HB 410.

There was discussion regarding the courses that would be offered in the 2 year program, the transferability aspect, whether community colleges would be allowed to offer anything above the 1st 2 years.

Romesburg

Next to testify was Mr. Kerry Romesburg, Director of the Commission of Postsecondary education. Said with respect with HB 410, last year the Commission did conduct hearings around the state with regard to community college structure in Alaska and did formulate recommendations which the committee members had. He said they did make 7 recommendations, 6 of which were to the Board of Regents and the 7 to Board of Regents and also offered for legislative concern. He said in the hearings around the State, there were a number of people who were unhappy with the current structure, administratively, a number of community college advisory councils who feel that the community colleges do not receive the kind of hearing and kind of statute that they wish they would receive through the existing structure. Said one thing mentioned specifically was the community college split. He said there were a number of persons who did advocate 2 separate systems but the majority did not., felt the 2 systems should remain the same. Said there were 2 principal reasons mentioned for not splitting the system. One, transferability and the other accreditation. He did say he didn't think the accreditation reason was a valid reason, but said the issue of transferability bothered him.

Mr. Romesburg went on to say that Wyoming has almost an identical type of structure to what we are talking about. (He called attention to the administrative structures that he had passed out to the committee members). Said in Arizona there are 2 systems with no coordination above them. He said transferability was not a problem in Arizona, because they established transferability guides.

With regard to HB 415, Mr. Romesburg said that particular structure comes closer to the type of thing the Commission was recommending in that it does establish a chancellor for community colleges within the present university structure and under the Board of Regents. Said the issues not mentioned in the bill but what he was interested in hearing comments on were: what do you do in Anchorage, Juneau & Fairbanks with regard to the community college and senior college sitting side by side;

Mr. Romesburg said with regard to HB 493, establishing branches of the University at Anchorage. Said this bill essentially eliminates community colleges and the community college identity from the terminology of a community college. Said there are some states which have a basic university and branches, including 2 year branches. Said the problem he would have with this bill is the fact that the concept of community college is lost.

Mr. Romesburg said not one bill addressed exactly what the Commission recommended, parts of the recommendation were in all the bills. He did say the Commission felt the problems could be addressed by the Board of Regents without having to create a number of different boards or putting it into law.

There was discussion as to how much autonomy the community colleges should have, what courses should be taught, the local input, more input for academic programs,

Mr. Romesburg said at the hearings the people felt that the central person should have access directly to the Board of Regents and also that the Advisory Council should have direct access to the Board of Regents.

Next to testify was Representative Meekins. He stated his bill was not new to the legislature, it is the same bill that Gruening introduced last year and co-sponsored this year. He said this bill is not a response to the current problem existing in the university, but said it is an idea that has been around for a long time but felt the problems they are currently having do reinforce it. He said he agreed with the Chairman' intention to not rush this matter through this session of the legislature and that there would be interim authority to review all of these bills because he knows they are quite complicated and felt there were problems in the bills that needed to be resolved. Did there was a good case for decentralizing.

Meekins

Mr. Meekins said if you look at it from the other aspect, you have to ask why there is a central administration that administers all of the different areas of the university system. Said the 3 primary reasons are: need standardization and coordination among the different campuses and among the different program and there is an attempt to reduce duplication and also to minimize harmful competition between the Regents. He said he did not think these theoretical reasons were any good as applied to Alaska for a number of reasons. He said his bill does not call for total autonomy, just takes away the central administration but still leaves the 4 units proposed under the Board of Regents. He said he felt more important to Alaska than standardization and coordination that is given by the central administration is the responsiveness if the units were more autonomous. They would still report to the Board of Regents, there would be the coordination in terms of academic standards and policy considerations which are necessary which could all be done through the Board of Regents but felt more responsiveness to the local level. Mr. Meekins said in terms of duplication this is the argument given him in opposition to decentralization. They say that every region will have to do all the accounting procedures that the central administration does. He said Anchorage already does those accounting procedures and then send them to Fairbanks and the central administration does them again so he feels the duplication in the system is in the current system.

Mr. Meekins agreed that a great deal of work needs to be done and hoped some interim authority would take a look at the bills. Does believe could benefit and spend a lot less money if we would decentralize and give the authority to the regional level.

Next there was discussion regarding the budgets, whether it would still go through the Regents.

Ostrosky

Next to testify was Katherynn Ostrosky former member of this committee and Chairman of the Interim Higher Education Subcommittee during the last legislature and appeared as a representative of the Alaska Community College Federation of Teachers on behalf of their support and interest for HB 410. She stated HB 410 is the most recent effort to respond to the growth of the community colleges and is offered as the third Community College Act in the history of Alaska. and at this point she gave a historical perspective on the two previous Community College Acts. She believes the problems facing the community colleges is a statewide issues, not a local or regional issue. Said it affects the entire statewide student population from Nome to Ketchikan.

Marie Darlin spoke from the sidelines and said their main concern was that there be some attention given to these bills during the interim.

Mrs. Ostrosky said she felt there had been a real resistance to real basic reform rather than a response to the reforms.

Mr. Parr said that there will be some hearings held once the initial opening of the semester has gotten over with and people settle down, somewhere in the general vicinity of the first of October and he said it was his intent to have hearings both in town and on the Campuses in Anchorage and Fairbanks.. Said they would have it in one of the smaller communities. Said they wanted to get input from people who are not in any way members of the university in addition to the University. Would have Juneau hearings in January.

The meeting adjourned at 4:20 p.m.

HB

429

1506 Denali Way
Fairbanks, AK 99701
April 10, 1977

Representative Charlie Parr
Alaska State House
Pouch V, State Capitol
Juneau, AK 99811

Dear Representative Parr:

Re HB 429 An Act relating to disposal of school lands.

The State Board of Education is opposed to this bill.

This bill removes the Board as trustee of the school trust lands and also eliminates the requirement of Board approval of all transactions affecting the school trust lands.

Until such time that another management arrangement is established to serve as a check and balance in the transactions affecting state lands and particularly the school trust lands, the State Board of Education feels that the best interests of the people of Alaska will not be served by returning the management of these lands to the same status that existed until just recently.

Surely we should learn from the Penny lease, the Teamster lease, and from the admissions of the Division of Lands personnel.

Sincerely,

Darwin

Darwin Heine

*Your thoughtfulness in sending
a copy of the bill is very
much appreciated.*

Dr

April 10, 1977

Re News-Miner report April 9, 1977 of passage of CSSB159 similar to HB387 - -
An Act relating to the leasing of state land.

THE STATE BOARD OF EDUCATION OPPOSES THESE BILLS.

No private owner of property would lease or rent land under the restrictions imposed by this bill.

Holding the rental amount at a fixed level for 25 years is unrealistic, ignores inflation, subverts the intent of the trust lands as revenue producers, and puts us right back into the "teamster lease" situation.

Example: A residential lot on school trust land is worth \$3000. Under terms of the bill passed by the Senate, the annual rent for the 1st 25 years cannot exceed \$300. (At this time the Board would be leasing at 8% - or \$240 annual rent).

By the year 2002 (25 years) the lot will be worth at least \$7500.** The bill limits the rental increase to an amount equal to 10% of the newly appraised value, or a 50% increase over the prior rent, whichever is lower. The maximum rate for the next ten years would then be \$450, not \$750. (If leased at 8% the new rate would be \$320 per year).

Thus, while the dollar has depreciated over the 25 years, the state takes a double beating because it is forced to also reduce the rate from 10% to 6% (or 8% to 4¼%).

This is not equitable and not fair to the people of Alaska. The land belongs to all the people - at least the trust lands do. Why should a few enjoy such favored treatment?

Mandating by statute unrealistically low rents and not giving some flexibility to those managing the lands will result in the same abuses and problems that currently exist.

The State Board of Education reaffirms its position that legislation affecting the trust lands be deferred until the second session of the tenth legislature. This will give time for those representing the various trust lands to review current statutes and regulations and make recommendations that will correct the inequities that exist.

** Attached information may help in justifying the \$7500 estimate.

Darwin Heine, member
State Board of Education
Chairman, Subcommittee on Lands

Agricultural land in the 48 states (excluding Alaska and Hawaii).

5 years 1971 - 76 increased in value an average of 112%

Low - 44% in California

High- 207% in Iowa

1 year 1975 - 76 increased in value an average of 17%.

National Consumer Price Index with 1965 as the base = 100

1970 - - - - - 124.8

1973 - - - - - 145.1

1975 - - - - - 174.2

1976 - - - - - 182.6

1976 was 37.5 greater than 1973.

Anchorage Consumer Price Index

1973 - - - - - 123.8

1976 - - - - - 169.4

1976 shows 45.6% increase in 3 years.

In 1947 the University of Alaska sold land along Chena Pump Road for \$5.00 to \$7.50 an acre. Now, 30 years later, what is it worth?

March 1977 - 3 1/2 acres on Farmer's Loop for \$21,000. Poor soil conditions require self-refrigerated steel piling for building.

February 1977 - - Fed. Home Loan Bank average effective conventional mortgage rate for the month 8.98%

HB

430

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

323 E. 4TH AVENUE - ANCHORAGE 99501

February 23, 1977

The Honorable Kay Poland, Chairman
Senate Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

*Leases
State
Land
School*

Dear Kay:

Thank you for forwarding Mr. Robert P. Isaac's letter concerning the State Board of Education's responsibility in connection with the leasing and other management of school grant lands.

Mr. Isaac raises a very valid point; should the role of the State Board of Education be expanded to include that of trustee of some one hundred thousand plus acres of school grant lands, or should the Board's role be a more traditional one of concentrating on their responsibilities of insuring quality education? I believe the issue may be argued cogently from both sides. Perhaps some history might be appropriate.

As Mr. Isaac points out, prior to last year the Board of Education was required to approve the lease or other disposition of school lands. Until that time, the Division of Lands was completely responsible for management of school lands, subject to board approval and, to the extent that any trust responsibility existed, the Division exercised that responsibility.

During the past two years, largely through the interest and determined efforts of the Alaska Public Interest Research Group (AkPIRG), two large school leases (the "Teamster Lease" and the "Penland Lease") were determined to have been illegally executed, and settlements in favor of the school board approaching two million dollars were secured by the Division of Lands. As a result of these revelations of past negligence with respect to the leasing of school lands, and again largely as a result of lobbying by AkPIRG, the Legislature established the Board of Education as trustee to insure that such improprieties would not occur in the future.

The answer to Mr. Isaac's question is therefore not a simple one. I concur with Mr. Isaac's contention that the time and resources of the Board of Education should probably be oriented to their educational function and the management of the school trust land should be handled by another entity. The question is, which entity?

\$235,000.00

The Division of Lands is certainly the most obvious agency. However, I can attest that the Director of the Division of Lands, being responsible for the management of the State's general selection grant of in excess of one hundred million acres, plus the responsibilities for the University and Mental Health Trusts as well as the School Lands Trust, must occasionally make decisions where he has a conflict of interest between these responsibilities. While in my experience these have not been of significant consequence to date, I believe that they will increase in both frequency and magnitude.

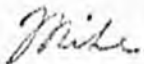
The School Land's Trust is not alone in the problem raised by Mr. Isaac. The University Board of Trustees is in a similar position. Additionally, the Mental Health Trust does not have any assigned formal trustee responsibilities, although a three person board was established by the Legislature last year to review proposed actions.

In order to adequately address this question of the management and trustee relationship of all three land trusts, I believe the entire matter must be looked at as a whole. Through conversations and correspondence with both the School Board and the University Board of Trustees, it appears that they also concur that this is an appropriate time to address this question. To begin this process the Department of Natural Resources has been negotiating with the Bureau of Land Management in Washington, D.C. to procure the full-time services of a particular BLM employee through the Intergovernmental Personnel Act to be assigned to the Division of Lands for a period of two years to work on this question of land trust administration, policy and management. We are anticipating his arrival in April of this year and, with the cooperation of the three trusts, we expect to present to the second session of this Legislature a comprehensive review of the matter including any necessary new or amendatory legislation.

In the interim I believe that it is in the best interests of the School Trust for the Board to continue to serve as trustee in matters of leasing or other disposition of school lands. I am encouraged at the interest expressed by Mr. Isaac and hope that he will contribute his good ideas as we review the land trust issue during the coming year.

Thank you for asking my comments on this matter and please let me know if I can provide any further information.

Sincerely,



Michael C.T. Smith
Assistant Commissioner

cc: Honorable Alvin Osterback, Chairman, House Resources Committee ✓
Honorable Marshall Lind, Commissioner, Department of Education
Honorable Katherine Hurley, President, State Board of Education
Mr. Al George, University of Alaska Land Development Office

P. O. Box 223
Douglas, Alaska 99824

February 3, 1977

The Honorable Kay Poland
Chmn., Senate Resources Committee
Alaska State Legislature
Juneau, Alaska

Dear Senator Poland:

During the last few weeks, I have been developing an administrative manual for the State Board of Education. (I am a retiree, former employee of the Department of Education for 25 years.) During the course of the project, I reviewed the various statutes applying to the Board and I noticed that legislation enacted a year ago expanded on the Board's responsibilities in connection with the leasing of school lands.

Prior to last year, the Board was required to approve the lease or other disposition of school lands. Their responsibilities and prerogatives have now been increased to the point where the Board is now the trustee for school lands and has the authority to employ special legal counsel and technical assistance to administer this program.

In my opinion, this is a misapplication of the Board of Education's function, and the Board's involvement in the management of school lands should be repealed.

School lands, like other categories of state lands, should be administered by the Division of Lands, Department of Natural Resources, the agency especially created for land management.

Actually, there is no connection between the Department of Education (Board of Education) and school lands. Up to statehood, certain surveyed sections of lands in each township were designated school lands (Sections 16-36, of each township). When such lands were leased or sold, the funds were placed in the "permanent school fund" and invested. The income (interest) from the permanent fund then goes to the State General Fund. Relatively speaking, the income from the permanent fund is small and is only indirectly involved in financing educational programs.

It is my understanding there has been in the past some criticism of the Division of Land,s handling of school leases. If

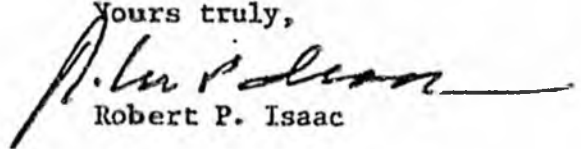
there are problems concerning the leasing of school lands, they should be resolved by strengthening procedures in the Division of Lands, not by involving another agency in lands administration.

In order to fulfill its trusteeship responsibilities, the Board of Education will be required to employ additional personnel to administer the program.

I submit that the Board of Education should not be in the land leasing business, that it detracts from their primary educational function, and furthermore, could result in a needless expense.

With the above in mind, I respectfully request the Resources Committee to initiate legislation which would repeal the Board of Education's involvement in the leasing of school lands.

Yours truly,

A handwritten signature in dark ink, appearing to read "R. P. Isaac", written in a cursive style with a long horizontal flourish extending to the right.

Robert P. Isaac

cc: House Resources Committee
State Department of Education
State Department of Natural Resources

(14) School Lands - Title 38

Section 38.05.030(e). The sale, lease or other disposal of school lands under the jurisdiction of the department shall be made by the commissioner in accordance with the provisions of this chapter. However, disposal of school lands under this subsection, other than disposal by lease for a term of years, shall be made only for sites for school facilities or for public park and public recreation purposes. School lands may be exchanged for (1) state lands, (2) vacant, unappropriated and unreserved public lands and (3) lands owned by a city, borough or other public entity. In the case of unequal values, cash may be used to equalize land values. When the department determines that it is in the best interest of the state to dispose of the school lands located within Sections 16 and 36 in an organized borough or city of any class, the borough or city is authorized, and has preference for six months after notice, to acquire the land at the appraised value by purchase or exchange of land acceptable to the department. No sale, lease, exchange or other disposal of school lands may be made without the approval of the state Board of Education. The state Board of Education shall act as a trustee of school lands. The board may retain private counsel or other professional assistance when necessary to carry out its duties as a trustee.

Said Joe Bennett &
Bob Isaac are to be
Contacted on this - Also
there is an alternative
bill that hasn't been
introduced but might
want to be used

Ann

P. O. Box 223
Douglas, Alaska 99824

February 3, 1977

John Bennett
2/7/77

The Honorable Alvin Osterback
Chmn., House Resources Committee
Alaska State Legislature
Juneau, Alaska

Dear Representative Osterback:

During the last few weeks, I have been developing an administrative manual for the State Board of Education. (I am a retired, former employee of the Department of Education for 25 years.) During the course of the project, I reviewed the various statutes applying to the Board and I noticed that legislation enacted a year ago expanded on the Board's responsibilities in connection with the leasing of school lands.

Prior to last year, the Board was required to approve the lease or other disposition of school lands. Their responsibilities and prerogatives have now been increased to the point where the Board is now the trustee for school lands and has the authority to employ special legal counsel and technical assistance to administer this program.

In my opinion, this is a misapplication of the Board of Education's function, and the Board's involvement in the management of school lands should be repealed.

School lands, like other categories of state lands, should be administered by the Division of Lands, Department of Natural Resources, the agency especially created for land management.

Actually, there is no connection between the Department of Education (Board of Education) and school lands. Up to statehood, certain surveyed sections of lands in each township were designated school lands (Sections 16-36, of each township). When such lands were leased or sold, the funds were placed in the "permanent school fund" and invested. The income (interest) from the permanent fund then goes to the State General Fund. Relatively speaking, the income from the permanent fund is small and is only indirectly involved in financing educational programs.

It is my understanding there has been some criticism of the Division of Land's handling of school leases in the past. If

February 3, 1977

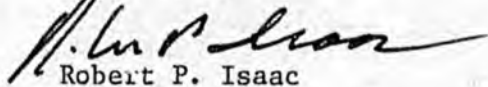
there are problems concerning the leasing of school lands, they should be resolved by strengthening procedures in the Division of Lands, not by involving another agency in lands administration.

In order to fulfill its trusteeship responsibilities, the Board of Education will be required to employ additional personnel to administer the program.

I submit that the Board of Education should not be in the land leasing business, that it detracts from their primary educational function, and furthermore, could result in a needless expense.

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Yours truly,




Robert P. Isaac

cc: Senate Resources Committee
State Department of Education
State Department of Natural Resources

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STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 1, 1977

SUBJECT: Enclosed two bills
TO: Representative Alvin Osterback
FROM: Joel Bennett, Legislative Counsel

Enclosed are two versions of a bill to accomplish what Robert P. Isaac recommended in his letter of February 3, 1977. The one by you by request without the addition of new language actually does what he wants. The other, with new language, is a compromise, giving the Board of Education some input into the disposal of school lands. You should certainly discuss it in committee, along with the one you introduce.

JB:lmk
Enclosures

No 3333
Bennett

P. O. Box 223
Douglas, Alaska 99824

February 3, 1977

The Honorable Alvin Osterback
Chmn., House Resources Committee
Alaska State Legislature
Juneau, Alaska

Dear Representative Osterback:

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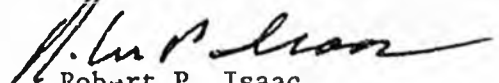
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Yours truly,




Robert P. Isaac

cc: Senate Resources Committee
State Department of Education
State Department of Natural Resources

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HB

431

Diane brought this -
Said Milnes is who we
should contact to testify
on these 3 bills //
Said Osterback introduced
these on his request -

Ann

Alaska State Legislature

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811



House of Representatives

REPRESENTATIVE
ALVIN OSTERBACK
BOX 71
SAND POINT, ALASKA 99861
(907) 383-2383

CHAIRMAN
HOUSE
RESOURCES COMMITTEE

465-3715
465-3781

29 March 1977

DISTRICT 15

ADAK
AKHIOK
AKUTAN
ALITAK
ATKA
BELKOPSKI
CHIGNIK
CHIGNIK LAGOON
CHIGNIK LAKE
COLD BAY
FALSE PASS
IVANOF BAY
KARLUK
KING COVE
LARSEN BAY
NELSON LAGOON
NIKOLSKI
OLD HARBOR
PERRYVILLE
PORT LIONS
SAND POINT
SQUAW HARBOR
ST. GEORGE
ST. PAUL
UGANIK BAY
UNALASKA

Jim Milnes
811 West 25th Street
Anchorage, AK 99503

Dear Jim,

I had the attached bill drawn up. Please note the memorandum that the drafter of the bill sent me with it.

As I understand it, the language had to be changed to make the bill constitutional and consistent with the intent of the law.

Before I drop the bill into the House, please let me know if this is acceptable to you.

Sincerely,

Alvin Osterback
Rep. Al Osterback, Chairman
House Resources Committee

AO:jn

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 22, 1977

SUBJECT: W. O. #3804
TO: Representative Alvin Osterback or
Diann Nelson
FROM: Ken Vassar, Staff Attorney *KV*

*Jack
Melness, E.
Southern
Regional Assoc
Assoc.
Suits
Merrill
K. C. C.
9/11/77*

This is just a note to explain a couple of changes I have made in the language you submitted with your bill request. First, as to AS 14.20.020(b), rather than repealing and re-enacting, I have used the method of amending the statute. The reason for this is that the repealed and re-enacted version you gave me would have eliminated two exceptions to the teacher certification requirements which you indicated over the phone that you did not really want to eliminate. Those two exceptions are for teachers who were employed by the public school system in 1962 and who are still teaching and for emergency certifications when there is a teacher shortage. As you can see, the amended version of the statute accomplishes the changes you seek while at the same time saving the two exceptions.

The second change I have made is the elimination, pursuant to Diann's agreement over the phone, of the amendment to AS 14.-20.020(c). This amendment would have required that regulations made by the board be in clear language and applied "even-handedly for all". As I explained over the phone, these are implied requirements for any regulation issued by a department of the state, and it is not necessary to explicitly state it in a bill. If your constituents feel that a regulation is vague or inequitably applied, they should seek to have it struck down in court. That would seem to be the more directly satisfactory means of solving their problem.

KV:lmk
Attachment

*Diann
Cueck
277-6239
277-02161*

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
9C7-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 1, 1977

SUBJECT: Work Orders #3802, 3803 and 3804
TO: Representative Alvin Osterback or
Diann Nelson
FROM: Ken Vassar, Staff Attorney *KV*

You have requested a memo analyzing the effect of three bills I drafted for you relating to education.

Work Order #3802, a bill for an act relating to the use of the terms "university" and "college" amends AS 14.48.-020(5). That section prohibits any person from using the term "university" or "college" without authorization from the Alaska Commission on Postsecondary Education. The bill proposed would provide an exception to that rule for schools accredited or granted pre-accreditation status by an officially recognized accreditation organization. An accrediting organization is officially recognized by the United States Commissioner of Education. The bill would also create an exception for schools listed in the most recent edition of the Education Directory: Colleges and Universities of the National Center for Educational Statistics. The National Center is a part of the Office of Education within the Division of Education within the United States Department of Health, Education and Welfare. Its directory lists accredited schools and schools operated by the states or approved by state departments of education.

Work Order #3803, a bill for an act relating to the Alaska Commission on Postsecondary Education (ACPE), has three effects. First, it amends AS 14.40.903(a)(2). That section provides for representation of private education by allowing one member of the ACPE to be chosen by the Boards of Trustees of AMU and Sheldon Jackson College. The amended version would increase the representation to four members chosen one each by the Boards of Trustees of AMU, Unapiat University of the Arctic, Tanana Chiefs Land Claims College, and Sheldon Jackson.

Second, it would add a new section (909) to AS 14.40 which

would prohibit APCE members from postsecondary teaching or lecturing except by contract with existing postsecondary institutions.

Third, it would add a final sentence to AS 14.40.913(b) which would prohibit the Department of Education from infringing upon the functions of the ACPE.

Finally, Work Order #3804, a bill for an act relating to teacher certification, would amend AS 14.20.020(b). The only effect is to require, with two exceptions listed in the section, that teachers by graduated from an institution meeting the same requirements enumerated in Work Order #3802 before being eligible for certification. The new standards replace a requirement that the institution be accredited by "a recognized regional accrediting association or approved by the commissioner".

If you have any further questions about these bills, please do not hesitate to let me know.

KV:lmk

HB

441

BUCK EMERY - CITY BOROUGH
586-3300

BINDING ARBITRATION
STATE STATUTES ON BINDING ARBITRATION

MICH 600.5001 - BIND ARBIT
MASS 251-1
CONN 563 31-118

New contracts

→ Employee relations

→
→
→

Binding arbitration

1. Up until 1974 - Military paid as arrears in default.
EE contrib x Entering salary x yrs of mil.

X 2. 74 - 76
HW

< Military service shall be paid
for on same basis as LWOP
EE & EMP + State x Entering sal x yrs.

3. 76

- charging like arrearage

HB 332

6% of salary of VESTED YEAR (FIVE YEARS

AFTER STARTED



~~25%~~

public employees will pay
on when law came
into effect (12 1976)

teachers 1951 - etc - beg year

probably more in administrative expense
8-9 mos

AB 343 check up bill
→ AB 332

30 day provision

ANY FORM OF NON MEMBERSHIP SERVICE

Introduced: 4/6/77
Referred: Health, Education & Social Services and Finance

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 441

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

retired '75
not '76 -

6 For an Act entitled: "An Act relating to teachers' retirement."

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

8 * Section 1. A teacher who retired and obtained benefits under AS 14.25.
9 100(d) as that section existed before June 30, 1976, may elect to have the
10 cost of his military service credit computed under either that section or AS
11 14.25.100(a) as amended by sec. 5, ch. 155, SLA 1976, and shall be entitled
12 to refund of the excess paid if the amount paid for service credit exceeds
13 the amount which would have been due under the method elected.

2
1
BIA
OUTSIDE

14
15 1974 MILITARY paid as average

16
17
18
19
20
21 only a retired teacher!

22
23 What about active

DO FOR ALL

24
25
26 our feeling - better left alone

- 27
28
29
#
- 1) NOT COLLECTING THAT MUCH WITH RETIRED
- 1. (200 still active)
 - 2) ACTIVES WILL THEN ^{HB} WANT CHANGE STATUTES

HB 441 - Re Conviction Bob Bates

- 1) OR UNTIL 1974 MILITARY SERVICE - paid as arrearages
EE contribution \times entering salary \times years of mil
2. from 74-76 military service shall be paid for on same basis as LWOP.
EE \times EMP + State \times ent salary \times yrs
3. 76 charging like arrearage
IT returns to the way the law was ~~was~~ prior '74

Our feelings:

better left alone

- 1) you are not helping that many
there is 200 or more active
- 2) Actors would probably want a
change in statutes.
- 3) administratively it would be difficult

person who owes \$

Could have it later
out of retirement

would earn less

HB

450

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH H 01 - JUNEAU 93811

Document# House HESS #6

April 28, 1977

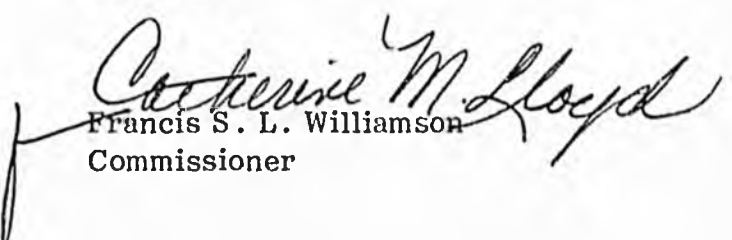
The Honorable Charles H. Parr
Chairman, House HESS Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Parr:

In response to a request from your Office, I have attached a fiscal note for House Bill 464, "an Act creating a separate Department of Health," and a position paper for House Bill 450, "an Act relating to the regionalization of the Department of Health and Social Services." The Department encountered difficulty in preparing a fiscal note for HB 450 in the absence of definitive language regarding an administrative regional office. The position paper for HB 450 explains this difficulty and the Department's perception of the issue in some detail.

If we can be of further assistance regarding these legislative proposals or other issues of concern to your committee, please contact us.

Sincerely,


Francis S. L. Williamson
Commissioner

HOUSE BILL 450

"An Act relating to the regionalization of the Department of Health and Social Services; and providing for an effective date."

House Bill 450 mandates the Department of Health and Social Services to establish administrative regions in eleven specific elections districts throughout the state. The functions of the Department will be performed by a regional office within each administrative region.

As the Department of Health and Social Services moves toward implementing its goals of service integration and the decentralization of service delivery, the concept of regionalization becomes a reality. Regional offices have been established by the Divisions of Mental Health, Social Services, Public Health and Public Assistance. The Division of Administrative Services has regional support services in Anchorage and Fairbanks and a Deputy Commissioner for Field Operations is headquartered in Anchorage.

The question is the degree to which delegated authority is regionalized and the compatibility of the regionalization design with health and social service planning and service delivery agencies, both state and private, within Alaska. In addition, communication and travel accessibility must be a prime consideration in an area as large and sparsely populated as Alaska. The relative permanency of a districting scheme must also be a factor if organizational and service delivery plans are to be regionalized.

The Alaska State Health Plan and the Community Mental Health Plan divide the state into three planning districts with 22 sub-units contained therein. The areas take into consideration the three Health Service Areas designated in Alaska for regionalized health planning, project review and research by the Health Planning and Resource Development Act of 1974 (P.L. 93-641). Compatibility is also assured between Native Regional Corporations. As the twelve Native Regions are federally recognized and currently conduct both planning and service delivery, it is logical to assume that these regional boundaries will remain constant. In addition, these boundaries do not vary significantly from many other districting arrangements utilized by state agencies. This approach to regionalization permits effective mutual planning with the Alaska Native Health Service and the Alaska Federation of Natives and facilitates coordinated planning with the Health Systems Agencies whose boundaries follow the Native Health Corporation boundaries. The establishment of Department of Health and Social Services administrative regions in the state which may be inconsistent with these considerations is inadvisable, both from a performance and from a cost-effective basis.

Once a districting scheme is designed, the degree to which delegated authority is regionalized must be considered. The objective is to assess the needs of each regional area as comprehensively as possible and to establish services to meet those needs as effectively as possible. In meeting the goal of decentralization, the primary level of direct service delivery is the community agency. Technical and administrative support are provided as close to the community level as economic considerations will permit.

House Bill 450 would establish administrative regional offices in eleven Alaskan communities varying greatly in size and in health and social service needs. Obviously, the Department could not establish the same type of administrative organization in Nome or Sand Point as in Anchorage or Fairbanks. Until such time as a clearer definition of what constitutes an administrative regional office is provided the fiscal impact of this particular piece of legislation is impossible to assess.

In conclusion, the Department supports the concept of regionalization underlying House Bill 450. The Department would recommend amending the methodology supporting the location of specific regional offices to permit a districting scheme in which due consideration was given established planning and service delivery patterns, administrative and population centers, Native Corporation boundaries, election districts, etc. Once the districting scheme is established, a determination of what constitutes a "regional administrative office" must be made. Perhaps a system of sub-regions or units could also be devised in which lesser administrative authority was delegated from the respective regional administrative office. The Department would welcome the opportunity to work with the Legislature to develop a comprehensive design to accomplish such a regionalization plan in the best interests of all Alaskans.

Recommended by:

D. Sharon Osborne
 Coordinator, Office of Planning
 and Research

25 April 1977
 Date

Approved by:

Francis St. Williamson
 Commissioner, Department of Health
 and Social Services

 Date

MINUTES OF HOUSE HESS COMMITTEE

May 4, 1977

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

Absent: Mr. Cotten & Mrs. Buchholdt.

HB 464

First on the agenda was HB 464. Mr. McKinnon asked if he could have a witness testify first, the witness being from out-of-town. Mr. McKinnon said the bill will separate the Department of Health & Social Services into 2 departments. Said Dr. Tom Georges was from Pennsylvania and in Pennsylvania they have 2 separate cabinet ^{depts} levels and Dr. Georges has served as the head of both of the departments.

Georges

Dr. Tom Georges said he had had the opportunity for the last 10 days to travel around various parts of Alaska and see the health care services that are provided. He said he has had opportunity to talk to some of the health people and they have expressed some of the health problems as they see them. He stated in his opinion the health functions of the state are best carried out by a health officer who has direct responsibility to the governor and has responsibility for the services provided. Dr. Georges answered questions asked by members of the committee and spoke to some of the problems they are having in some of the communities he visited. Questions were asked of Dr. Georges as to the advantages and disadvantages of having the 2 departments, the economics involved, the size of the 2 departments in Pennsylvania, how the Board of Health operates, how many states have the 2 separate departments and how many are 1 department. Dr. Georges said 14 states have moved to some form of combined department. The remaining states have separate departments. He stated in talking to employees in public health, they feel they can do a better job if they are in separate departments.

There was discussion as to which department should have alcoholism, what type of person should head the department of health which Dr. Georges felt a physician had certain advantages others don't have and also should have someone that enjoys administration.

Dr. Georges said 10 or 15 states have a Board and said he would rather work with a Board than without one.

McKinnon

Representative McKinnon then testified on his bill stating he felt there had been a lot of disadvantages the way the department operates now and thought it would be a lot better if the 2 systems were separated. Rep. McKinnon said there are 19 states with some sort of umbrella agency, 27 states with entirely separate departments of Health and 3 where the Dept.

of Health is combined with the Dept. of Environmental Protection. Questions were asked of Mr. McKinnon as to how many people would be needed to operate the new department.

Jund

Next to testify was Lois Jund, Deputy Director of Programs from the Department of Health & Social Services. Ms. Jund said as of 1974 there were 26 state comprehensive service agencies and 12 human services agencies. She said she thought this bill had certain pros you do not get in a human services agency. She said she thought it was more cost effective to have a human services agency. She said the Department was not for this bill and does feel a human service agency can work. After much discussion, Chairman Parr said they would not act on the bill today.

HB 450
Anderson

HB 450 was next and Representative Anderson testified on his bill. Said he did not expect the committee to take any action on the bill this year and he intends to do more study on the matter between now and the next session. He said the bill was in response to many complaints that have been made throughout the state, especially in Rural Alaska. He read a statement from the Citizen's Participation Committee meeting held in Anchorage in December. He said the thrust of the bill was to try to get the Department of Health & Social Services and its activities expanded out into the rural communities. Chairman Parr showed the committee a map that had been made up showing the different regions.

Lampman

Mrs. Marion Lampman from the Alaska Hospital Association spoke from the ^{5/14/74}silenes regard HB 464. Said the Hospital Association has been against the separation of the Department. Said the movement in the other states has been towards consolidation. She gave her suggestions as to how she thought the problems could be helped. Said the Association had had a good working relationship with Lois Jund and Kathy Lloyd in the Department.

The meeting adjourned at 4:30 p.m.

HB

464

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH H 01 - JUNEAU 99811

Document# House HESS #6

April 28, 1977

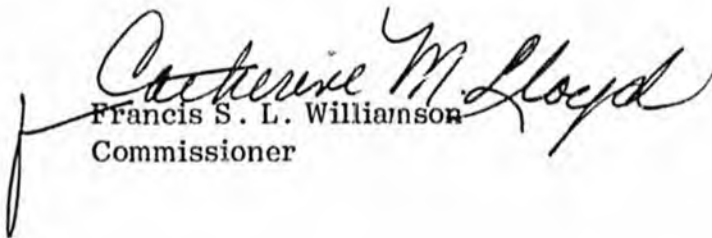
The Honorable Charles H. Parr
Chairman, House HESS Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Parr:

In response to a request from your Office, I have attached a fiscal note for House Bill 464, "an Act creating a separate Department of Health," and a position paper for House Bill 450, "an Act relating to the regionalization of the Department of Health and Social Services." The Department encountered difficulty in preparing a fiscal note for HB 450 in the absence of definitive language regarding an administrative regional office. The position paper for HB 450 explains this difficulty and the Department's perception of the issue in some detail.

If we can be of further assistance regarding these legislative proposals or other issues of concern to your committee, please contact us.

Sincerely,


Francis S. L. Williams
Commissioner

FISCAL NOTE

I. REQUEST House Bill #464
 Bill/Resolution No. _____
 Title "An Act Creating the Department of Health"
 Requested by _____ Date April 28, 1977

II. FISCAL DETAIL
 Agency Affected Department of Health and Social Services
 Program Category Affected All programs within the Department
 Budget Request Unit(s) Affected All BRU's within the Department

EXPENDITURES (Thousands of Dollars)

**

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

** The above fiscal note budgetary breakout is not compatible for the budget analysis required by this bill. Please refer to the attached pages for appropriate budgetary information.

IV. DATE April 28, 1977 PREPARED BY Christine Bell
 AGENCY Office of Planning & Research
 PHONE 465-6501
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Marsha Hubbard, Budget Analyst III
Budget Planning Unit x3094

Fiscal Note for HB No. 464

Below are the estimated funding levels needed for the maintenance of a Department of Health and a Department of Social Services as discussed in HB No. 464. These figures were gathered by grouping the Department of Health and Social Service's BRU components relating to health and social services. The dollar estimates were derived from the Governor's FY 78 Budget Request. Certain BRU's had to be "split-out" as they serve both Health and Social Service categories. Explanations of these specific calculations can be found next to the appropriate figures.

It must be stressed that these figures are approximations and are subject to change pending more detailed budgetary evaluation.

Total Costs for Department
of Health

\$64,333.6

Total Costs for Department
of Social Services

\$62,866.4

Department of Health

Commissioner's Office

256.4 (50% of Current FY 78 BRU)

Commissioner
Deputy Commissioner
Secretary III
Secretary II
Special Assistant

Planning and Research

1,282.1 (2/3 of total BRU
1/3 remaining in Social
Services)

Administrative Services

818.4 (50% of total BRU)

Quality Control

407.6 (50% of total BRU)

Division of Public Health

Public Health Administration 1,105.3

Administrative Support for
Public Assistance

550.6 (2/3 of total BRU
1/3 remaining in Social
Services)

Medicaid

22,207.4

G.R. Med.

4,010.9

Health Information Systems	340.8
Vital Statistics	323.7
Special Education Grants	62.8
Emergency Medical Services	723.8
Public Health Nursing	4,251.6
Communicable Disease Control	1,199.3
Environmental Health	1,228.1
Family Health	2,985.6
Laboratories	1,259.6
Certification/Licensing	270.9

Division of Mental Health

Administrative Support-M.H.	808.7
Alaska Psychiatric Institute	6,311.2
Psychiatric Security Unit	466.5
Harborview	5,089.1
Contract Institutions	1,944.8
State Operated Mental Health Clinics	615.1
Community Operated Mental Health Clinics	1,572.8

Office of Alcohol and Drug Abuse 4,217.6 (Alcohol-Drug Abuse BRU's combined)

Board of Health 12.9 (refer to next page for budget analysis)

Total \$64,333.6

Budget Analysis of Board of Health Costs

The following is a budgetary break-out of the estimated \$12,898.00 needed to maintain the Board of Health as discussed in HB No. 464.

\$158.28/plane fare round trip + \$200 @ 50/day/4 days = \$358.28

\$358.28 X 9 members = \$3,225 X 4 meetings = \$12,898

Total Board of Health Costs \$12,898

The travel expenses were developed to include round trip air fare costs from Juneau to Anchorage. It is assumed that meetings will be held in areas other than Juneau and Anchorage, however, these costs are estimated as an average bearing in mind absenteeism rates and the location of various members of the board.

DEPARTMENT OF SOCIAL SERVICES

<u>Commissioner's Office</u>	256.4 (50% of current FY'78 BRU)
Commissioner	
Deputy Commissioner	
Secretary III	
Secretary II	
Special Assistant	
Planning & Research	641.0 (1/3 of total BRU-2/3 remaining in Health)
Administrative Services	818.4 (50% of total BRU)
Quality Control	407.6 (50% of total BRU)
<u>Division of Social Services</u>	
Administrative Support	2,539.6
Program Services	5,810.3
Social Services	4,611.8
WIN/AFDC	603.6
<u>Division of Public Assistance</u>	
Administrative Support	275.3 (1/3 of total BRU-2/3 remaining in Health)
Eligibility Determination	3,142.6
Assistance Payments	18,276.3
<u>Divisions of Corrections</u>	
Administrative Support	1,110.9
Adult Confinement	12,218.6
Juvenile Confinement	5,801.7
Probation and Parole	2,914.0
<u>Separate Offices</u>	
Parole Board	146.2
Violent Crime Compensation Board	323.6
Child Support Enforcement Agency	786.4
Office on Aging	2,182.1
TOTAL	<u>\$62,866.4</u>

62

MINUTES OF HOUSE HESS COMMITTEE

May 4, 1977

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

Absent: Mr. Cotten & Mrs. Buchholdt.

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The meeting adjourned at 4:30 p.m.

HB

481

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 481
Title An Act establishing the Convention Center Task Force
Requested by House State Affairs Committee Date 4/22/77

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development
Program Category Affected Development
Budget Request Unit(s) Affected Division of Tourism

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		6.0	6.0			
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, JTC.						
TOTAL		6.0	6.0			

FUNDING (Thousands of Dollars)

GENERAL FUND		6.0	6.0			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

NONE

FULL TIME						
PART TIME						
TEMPORARY						

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

Assumes 5 members meeting twice a month for approximately 24 months at a per diem rate of \$50/day. Members are assumed to be from the Anchorage area; therefore no travel pay is anticipated.

Administrative functions for the gathering and compilation of information can be absorbed by the Division of Tourism.

IV. DATE 4/22/77 PREPARED BY 

AGENCY Division of Tourism

Original: Legislative Finance PHONE 465-2005

cc: Budget and Management

Prime Sponsor (First Legislator Named)

4-15-77

COMMITTEE REPORT
HOUSE

FINANCE

April 23, 1977

Date

Mr. Speaker:

The Committee on STATE AFFAIRS has had HE 481
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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

L. J. Gaudley - No Pass

_____ - Do Pass

_____ - No Pass

_____ - Do Pass

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: NO AND PASS

_____ recommends: _____

_____ recommends: _____

Chairman

A M E N D M E N T

OFFERED IN THE HOUSE:

By: _____

To: _____ HOUSE BILL No. HB-481

SENATE BILL No. _____

PAGE: 2

LINE: 3

. After boards and commissions, add: No travel outside
the State is authorized under this section.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D - JUNEAU 99811

April 22, 1977

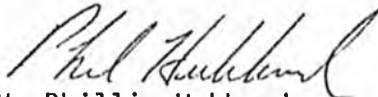
The Honorable W. E. Bradley, Chairman
House State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Chairman:

Representative Buchholdt has requested that we comment on HB 481, establishing the Convention Center Task Force.

We are in opposition to the bill because there is now in existence in Anchorage the Mayor's Advisory Commission on the Anchorage Center. This eleven-member commission has been appointed to explore the feasibility, need, cost and desired location for an Anchorage Center to meet the sports, civic and convention needs of the municipality. Their report and recommendations are due July 1, 1977.

Yours truly,


H. Phillip Hubbard
Commissioner

4-25-77

The Mayor's advisory commission on the Convention Bureau in Anchorage was created in 1975 and also Funded.

1975 -	\$100,000.00	
1976 -	150,000.00	2 budgets
1977 -	220,000.00	

The bureau is to be non-profit.

Rick Mystrom, chairman of the advisory commission advised this office that they are finished with 2 phases of a 4 phase report. This interim report will be presented to the Mayor for confirmation on May 3rd.

1. need - 2. requirements - 3. site - 4. ~~site~~.....

The final report due July 1. 77..

Respectfully submitted,

A. Morris

HB

492

TELEGRAM

HOA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

#

12065 NL FAIRBANKS ALASKA 131 05-09 145P ADT

PMS REP CHARLES PARR

JUN

AS WE APPROACH VERY CRITICAL TIME IN THE LEGISLATURE WITH RESPECT TO BINDING ARBITRATION IN THE PUBLIC SECTOR, WE AGAIN URGE YOU TO OPPOSE BINDING ARBITRATION-BY TEACHERS UNIONS. YOU REPRESENT AN AREA WHICH SPOKE LOUDLY AND CLEARLY IN THE DEVELOPMENT OF SENATE BILL 35 CONCERNING LOCAL CONTROL. DONT ALLOW THE LOCAL CONTROL TO BE SHIFTED TO A THIRD, UNINTERESTED PARTY. YOUR LOCAL ELECTED REPRESENTATIVES ARE THE PEOPLE WHO ARE RESPONSIBLE FOR THE OPERATION OF YOUR SCHOOL DISTRICTS, INCLUDING THE FINANCIAL ASPECTS. TEACHER ORGANIZATIONS HAVE CERTAINLY SCORED LARGE FINANCIAL GAINS OVER THE LAST TEN YEARS UNDER THE EXISTING LAW AND THE ABSENCE OF STRIKE BY PUBLIC EMPLOYEES WOULD SEEM TO INDICATE THAT THE PROCESS IS WORKING. WE AGAIN URGE YOUR OPPOSITION TO ANY LEGISLATION EMBODYING THIS CONCEPT.

CARL A PETERSON SUPT OF SCHOOLS ALASKA GATEWAY SCHOOL DISTRICT

1978 MAY 9 PM 8 22

HB 492 file



NEA - ALASKA

(ALASKA EDUCATION ASSOCIATION)
AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

*HB 492
file*

Robert Van Houte
Executive Secretary
Juneau Office

Robert C. Cooksey
Deputy Executive Secretary
Juneau Office

Charles L. O'Connell
Deputy Executive Secretary
Anchorage Office

Dianne Anderson
Field Staff
Anchorage Office

James D. Alter
Field Staff
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Mary Ann Eininger
Deputy Executive Secretary
Fairbanks Office

JUNEAU OFFICE
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JUNEAU, ALASKA 99801
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ANCHORAGE REGIONAL OFFICE
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ANCHORAGE, ALASKA 99507
PHONE: (907) 279-8544

FAIRBANKS REGIONAL OFFICE
954 COWLES, SUITE 143
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-2297

PROPOSED BINDING ARBITRATION LEGISLATION

Major Features

Page 1. Lines 8 to 21

Provides schedule for arbitration to begin. Provides item by item last best offer on items at impasse with final package selection by the arbitrator. The arbitrator's decision is final and binding.

Page 1. Lines 22 to 29

Provides for selection of arbitrator either by mutual agreement or by the American Arbitration Association of an Alaskan Arbitrator.

Page 2. Lines 1 to 4

Limits the award power of the arbitrator so that there is no required local tax rate increase or any required increase in state funding to an REAA.

Page 2. Lines 5 to 29 and

Page 3. Lines 1 to 26

Provides for elections in municipalities and REAA's on the acceptance of binding arbitration, provides for a petition process to get the question on the ballot, either initially or to change the status at a subsequent election.

Page 3. Lines 21 to 27

Provides that if binding arbitration has been selected, teachers may not engage in a strike. If binding arbitration has been rejected, the teachers may strike.

Page 3. Lines 29 to line 4, Page 4.

Changes the current law and provides that the initial negotiation session and all binding arbitration sessions are to be open to the public.

Page 4. Line 5

Repeals the provision that the Governor may appoint advisory arbitrators. (No longer needed if this bill is enacted.)

Page 4. Lines 6 to 29 and

Page 5. Lines 1 to 24

Provides for elections in all school districts and REAA's at the next regular school election on the issue of binding arbitration and provides the ballot language.

Page 5. Line 5

Provides that this act takes effect July 1, 1978.

UNALASKA CITY SCHOOL

UNALASKA, ALASKA
99685

WILLIAM R. GREGORY
SUPERINTENDENT

(907) 581-1222

April 26, 1978

Mr. Delmar Olsen
Unalaska, Alaska 99685

Dear Mr. Olsen;

Your employment as a teacher in the Unalaska City School District is being terminated as of May 31, 1978. All the District's first year teachers are receiving this notification of non-retention.

This action is necessary because Alaska Statute 14.20.145 provides that unless a non-tenured teacher receives such notification of non-retention by the last day of the school year, he or she is automatically reemployed for the ensuing year. Further, the negotiated agreement between the Unalaska Education Association and the Board provides that teachers completing their first year in this district shall be given such notice by May 1.

Since the negotiations process has not resulted in agreement between the Association and the Board, and it is impossible to establish what next year's personnel costs might be, the board and administration cannot at this time determine the number of teachers the 1978-79 budget will fund. Therefore this action has been deemed necessary.

From a very practical standpoint, most and perhaps all of the non-tenured teachers released by this action will subsequently be offered employment for the 1978-79 school year, but a decision on this cannot be made until 1978-79 personnel costs are known to the board.

Depending upon the total cost of whatever negotiated settlement is reached, the budget for 1978-79 may fund fewer teacher positions than the 1977-78 budget. Since the board has not yet addressed the question of what 1978-79 programs may have to be curtailed (in the event the number of staff positions must be reduced) it cannot at this time determine next year's staffing needs with sufficient precision to allow all of the district's 1977-78 teachers to be automatically continued into the 1978-79 school year.

We truly regret the uncertainty that this action will bring to all of us and pledge that the board and administration will make every effort to resolve these matters at the earliest possible date.

Sincerely,

William R. Gregory
William R. Gregory
Superintendent

ALASKA GATEWAY SCHOOL DISTRICT

P.O. Box 226
Tok, Alaska 99780

Charles Parr, Chairman
House HESS Committee
Pouch V
Juneau, AK 99811

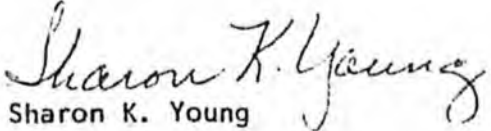
May 17, 1978

Dear Representative Parr:

In considering upcoming legislation on binding arbitration, please keep in mind that school boards are elected to represent the public's best interest in the management of their schools. Boards must consider not only teachers' financial needs but also the schools' financial needs. Aside from finances, an unwise decision by an arbitrator in the area of management could have a directly negative effect on the quality of the education we are trying to offer.

As a board member, I feel that imposing binding arbitration on public sector bargaining would erode school board responsibility to the point of uselessness. We realize the ultimate importance of teachers to our educational program and recognize their personal needs as members of our community, but we also feel a strong responsibility to our students. Please let us retain that responsibility. I would ask you to oppose binding arbitration in any form.

Sincerely,


Sharon K. Young
President of the
Regional School Board

SKY/pc

Dot Lake

•Eagle

Mentasta

Northway

Tok

HB

493

MINUTES OF HOUSE HESS COMMITTEE MEETING

April 25, 1977

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

Absent: Ose, Bennett, Chatterton.

Chairman Parr stated HB 410, 415 & 493 were on the agenda and asked Representative McKinnon, prime sponsor of HB 410 to testify. Mr. McKinnon said the problem as he sees it is the differences of the purposes and goals between a Community College and the University of Alaska have gone unrecognized which he felt was due largely because the Board of Regents are insulated from the philosophy of what a community college should do. He felt Community Colleges weren't consistent with a university's program. He felt regardless of any reorganization that could take place in the University system, it still wouldn't change the fact the the central administration won't act as a buffer between the Regents and the Community College. Stated he felt this bill would create a separate governing body for the Community Colleges. He passed out a sheet that showed the organizational structure as it would be set up under HB 410.

HB 410,
415
493
McKinnon

There was discussion regarding the courses that would be offered in the 2 year program, the transferability aspect, whether community colleges would be allowed to offer anything above the 1st 2 years.

Next to testify was Mr. Kerry Romesburg, Director of the Commission of Postsecondary education. Said with respect with HB 410, last year the Commission did conduct hearings around the state with regard to community college structure in Alaska and did formulate recommendations which the committee members had. He said they did make 7 recommendations, 6 of which were to the Board of Regents and the 7 to Board of Regents and also offered for legislative concern. He said in the hearings around the State, there were a number of people who were unhappy with the current structure, administratively, a number of community college advisory councils who feel that the community colleges do not receive the kind of hearing and kind of statute that they wish they would receive through the existing structure. Said one thing mentioned specifically was the community college split. He said there were a number of persons who did advocate 2 separate systems but the majority did not., felt the 2 systems should remain the same. Said there were 2 principal reasons mentioned for not splitting the system. One, transferability and the other accreditation. He did say he didn't think the accreditation reason was a valid reason, but said the issue of transferability bothered him.

Romesburg

Mr. Romesburg went on to say that Wyoming has almost an identical type of structure to what we are talking about. (He called attention to the administrative structures that he had passed out to the committee members). Said in Arizona there are 2 systems with no coordination above them. He said transferability was not a problem in Arizona, because they established transferability guides.

With regard to HB 415, Mr. Romesburg said that particular structure comes closer to the type of thing the Commission was recommending in that it does establish a chancellor for community colleges within the present university structure and under the Board of Regents. Said the issues not mentioned in the bill but what he was interested in hearing comments on were: what do you do in Anchorage, Juneau & Fairbanks with regard to the community college and senior college sitting side by side;

Mr. Romesburg said with regard to HB 493, establishing branches of the University at Anchorage. Said this bill essentially eliminates community colleges and the community college identity from the terminology of a community college. Said there are some states which have a basic university and branches, including 2 year branches. Said the problem he would have with this bill is the fact that the concept of community college is lost.

Mr. Romesburg said not one bill addressed exactly what the Commission recommended, parts of the recommendation were in all the bills. He did say the Commission felt the problems could be addressed by the Board of Regents without having to create a number of different boards or putting it into law.

There was discussion as to how much autonomy the community colleges should have, what courses should be taught, the local input, more input for academic programs,

Mr. Romesburg said at the hearings the people felt that the central person should have access directly to the Board of Regents and also that the Advisory Council should have direct access to the Board of Regents.

Next to testify was Representative Meekins. He stated his bill was not new to the legislature, it is the same bill that Gruening introduced last year and co-sponsored this year. He said this bill is not a response to the current problem existing in the university, but said it is an idea that has been around for a long time but felt the problems they are currently having do reinforce it. He said he agreed with the Chairman' intention to not rush this matter through this session of the legislature and hoped there would be interim authority to review all of these bills because he knows they are quite complicated and felt there were problems in the bills that needed to be resolved. Did feel there was a good case for decentralizing.

Meekins

Mr. Meekins said if you look at it from the other aspect, you have to ask why there is a central administration that administers all of the different areas of the university system. Said the 3 primary reasons are: need standardization and coordination among the different campuses and among the different program and there is an attempt to reduce duplication and also to minimize harmful competition between the Regents. He said he did not think these theoretical reasons were any good as applied to Alaska for a number of reasons. He said his bill does not call for total autonomy, just takes away the central administration but still leaves the 4 units proposed under the Board of Regents. He said he felt more important to Alaska than standardization and coordination that is given by the central administration is the responsiveness if the units were more autonomous. They would still report to the Board of Regents, there would be the coordination in terms of academic standards and policy considerations which are necessary which could all be done through the Board of Regents but felt more responsiveness to the local level. Mr. Meekins said in terms of duplication this is the argument given him in opposition to decentralization. They say that every region will have to do all the accounting procedures that the central administration does. He said Anchorage already does those accounting procedures and then send them to Fairbanks and the central administration does them again so he feels the duplication in the system is in the current system.

Mr. Meekins agreed that a great deal of work needs to be done and hoped some interim authority would take a look at the bills. Does believe could benefit and spend a lot less money if we would decentralize and give the authority to the regional level.

Next there was discussion regarding the budgets, whether it would still go through the Regents.

Ostrosky
Next to testify was Katherynn Ostrosky former member of this committee and Chairman of the Interim Higher Education Subcommittee during the last legislature and appeared as a representative of the Alaska Community College Federation of Teachers on behalf of their support and interest for HB 410. She stated HB 410 is the most recent effort to respond to the growth of the community colleges and is offered as the third Community College Act in the history of Alaska. and at this point she gave a historical perspective on the two previous Community College Acts. She believes the problems facing the community colleges is a statewide issues, not a local or regional issue. Said it affects the entire statewide student population from Nome to Ketchikan.

Marie Darlin spoke from the sidelines and said their main concern was that there be some attention given to these bills during the interim.

Mrs. Ostrosky said she felt there had been a real resistance to real basic reform rather than a response to the reforms.

Mr. Parr said that there will be some hearings held once the initial opening of the semester has gotten over with and people settle down, somewhere in the general vicinity of the first of October and he said it was his intent to have hearings both in town and on the Campuses in Anchorage and Fairbanks.. Said they would have it in one of the smaller communities. Said they wanted to get input from people who are not in any way members of the university in addition to the University. Would have Juneau hearings in January.

The meeting adjourned at 4:20 p.m.

UA Bills - Huch - 9-5-77
7-10 PM

- Peter Ring - Pres Huch Campus Assembly
- Move cautiously - give Pres a chance, ^{year} or so
 - HB 415 focuses too much auth in Chancellor, e.g. 015(2) faculty input
 - AK Coast - UA the univ -
 - HB 493 - questions approval by Leg, brings higher ed into ~~the~~ political arena
 - need separate identities for ACC + UAA
 - not in favor of split. Under it each CC would dominate all the smaller comm coll.

Sol Gerstenfeld -

- establish priorities through pocketbook
- objects to student fee going toward basketball and stadium instead of special ed (49142)
- vending machines serviced by students and profits go to student fund (why not?)

Stuart Bigler - Regional Director for National Weather Service
on Citizens Advisory Comm - 4 years

- speaking for himself
- projection 42,000 students by 1981
- people more important than orgn structure
- favors keeping UA all together
- split would cost more - 2 boards, etc
- give new structure year to prove itself
- not move hq to capital
- opposes policy boards
- key personnel problems

① differences in salaries - kill public employees relations act

② retention of qualified fac at smaller comm coll - lack of ~~fac~~ housing

③ increase proportion of full-time fac



Stuart Bigler - continued

- advice of board has been taken seriously,
esp by local admin.

- 1962 act -

Jim Brosamer - VP UAA fac assn -

- may see HB 415 implemented w/o legislation

- wants time to solve problem

Kathryn Ostrosky -

- supports HB 410 -

Beverly Larva - computer analyst, son senior at West High

- wants good 4-yr school, grad school, poss PhD

- likes HB 415 best

Dr John Shank - Chairman Policy Adv Council - (writing) - wait & see

Carolyn Floyd - Kodiak Campus President -

- small rural colleges need resources of UA system
- lose two years under reorg of HS 410
- wait & see - full year
- project 10% increase next year or so (in students)
- first enrollment in fall 500, now 600
- thinks adv
- could run 4 courses (upper-division) - local people available to teach -
- could keep student body in ed & bus adm

Margaret Hall - Board of Regents

- wait and see - one year
- agrees with Mrs Floyd
- ed pol comm of Regents considering pool of teachers for statewide assistance to comm coll -
- long-range planning beginning
- ADP needs revision
- have received few comm from comm coll adv boards

Enger

Frank Peterson - just under two years on
Comm Coll Adv Council, Pres
Kodiak Area Native Assn (3 years)

- too early to split off comm coll, esp, considering small pop.
- Native Assn workshops, have gotten credit from Kodiak CC - good cooperation
- Neighborhood Youth Prog (Bre, Wash)
- UA should have first option to provide instruction on mil bases -
- desirable have closer working relationship between comm coll council & Regents

Frank Peterson (continued)

- students now going to Seward Skill Center, should have courses here.
- in villages job opportunities are fishing, teaching, piloting
- 15 members of policy council

Frances Cater - ^{English, ed, humanities =} inst at Kodiak CC - 5 yrs, on 6th
- two conflicting phil of ed, univ vs comm coll.

- Comm coll - voc ed, spec int, academic
- " " has been stepchild
- Board of Regents paying more attention than in past, forced upon them (e.g. failures bond issue)
- Policy council turned down fee, student membership
- fisheries program not going - need of fishermen is practical research, not practical instruction. Fisheries institute well-attended

Arlene Bowee - teacher ^{7 yrs in Ak -} ~~35 years~~

- primary concern is post-college courses on Kodiak Is.
- plan of courses - hoped to take 21 credits in next year - 500-600 level
- elem ed courses, on reading, math, etc

Ivan Widom - recently moved to Kodiak fr Dillingham
- in winter not much to do in beach, extension center offered something to do, got people out of house
- if not there, doesn't know - what would take its place
- Yupik, painting, history, taught by local people

HB 410, 415, 493 - Soldotna
Oct 29, 1977

Dr. John Wilsey -

- Kenai CC healthy. Places 100% of graduates
- Repeat testimony to Post-Sec Comm last year:
 - ① Governance system to be kept
 - ② One office run all comm coll
 - ③ More power to local comm (Boards of Governors)
 - ④ Regents' makeup reflect both 4-yr & CC
- Main need - flexibility of action for ea CC, make own decisions quickly. Asking to be treated as equals
- HB 410 - cost more - maybe some future date
- HB 493 - sees as setting up 4-yr college in each state
 - may need leg act to ensure articulation and equation of courses. Block acceptance of assoc degrees, standardized numbering and scope, certification administrators and instructors
 - need good definitions. Student accounting and records standardized
 - need latitude for local tax base help
 - procedures for eval of performance
 - local board have control of capital impr.
 - require uniformity if two separate systems
 -

George Day - Pres KPCC -

- KPCC fine school
- would like more control, ready for it ^{HB 493 close}
- favors being in UA system
- UA needs time - about year
- in past not ~~to match~~ ^{enough} attention from UA Admin

Walt Ward - Asst Supt Schools, member Policy Bd & Post-See Comm -

- Split won't solve problems
- Union favors split, cost State more money
- UA needs two years to get house in order
- wife grad in May, got diploma last week
- KPEC coord w/ public schools & Seward Skill Center

Shirley Crataugh - pers officer sch dist

- 70 teachers renewed teaching certs, 40 were delayed by UA
- 50 teachers ready to move up on salary scale (by Oct 20th must have transcripts)
- Hugh - auth of campus pres to give transcripts

Dennis Stephe - full-time inst 5 yrs, part-time 3 years before that. Proud of KPEC

- always getting short end of stick
- petroleum tech program never been adequately funded.

Marion Hilan - member KPEC Adv Bd -

- not like to see Leg tear Univ apart
- give UA year to get in shape (5 yrs?)
- eventually have 4-year school in Kenia
- seems not getting fair share of budget

Hazel Heath - KPEC adv-board member

- Adv Policy Council's power should (Homer) be uniform throughout state
- need better communication, recognition
- give UA year

Donnie Thompson - KPCC member, Post-Sec Comm
- HB 415 - why UAT a major component?
- HB 410 - oppose (accreditation, etc)
- HB 493 - might improve record-keeping
- official from 1st Federal told Chamber
of Commerce most stable, fastest growing
area in state

Tom ~~Wagner~~ Wagner - Asst to Pres KPCC last year
- HB 410 calls for fac member on Board
of Governors - conflict of interest?
- Humphrey a fiscal conservative - will set
down guidelines, fire those who don't follow
- Humphrey said will get registrar, etc
- " effects won't take six months
to show
- Give year to get into shape - keeping
scrutinizing

Arch

John Havelock -

- Agrees to a point in giving new president a chance, but president not policy-maker.
- Justification for leg involvement w/ UA org, leftover business since statehood.
- Higher Ed interrelated, ergo autonomy must be limited. Need central authority, to resolve disputes between units; also to operate in legislative capacity.
- Budgets from larger units (UHA, UAF, ACC, TVCC) should go directly to legislature.
- not sensible to lump small comm coll together with ACC -
- don't leave Univ Assembly out of picture
- heard regent say: couldn't resolve UHA-ACC problem w/o leg action
- concerned about over-emphasis on geographic unit autonomy, sectionalism. Some matters best handled on statewide basis.

Beverly Isenson -

Latitude of admin in hiring restricted in last year.

Sharon Gagnon - chairwoman Citizens Advisory Group.

- written position coming
- ① want planning. ② Arch ready for 4-year univ plus comp comm college -
- ③ esp concerned about hiring new faculty - need increase proportion of full-time faculty.
- not favor competing w/ Fbks for research in geology, anthro, etc.
- wants 4-year univ to follow student demand.
- doesn't feel input futile, doesn't always get results -

Sharon Gagnon -

- sees some coord between UAA + ACC going on

Mason West -

- favors HB 410 -
- no master plan in VA to facilitate management of resources, no facilities plan.
- no job descriptions -
- not opposed to 4-year univ in Arch. -
- comm coll contract is only plan in system
- sees no way out except with own gov board
- 2 yr AA, ~~in~~ mil bases, voc ed, requested programs expansion pending.
- 4 yr + research, grad study
- cooperation needed -

relationship CC
4 yr Coll

James Rogers - faculty - in 6th yr, 2 yrs + Fills, 3 Arch

- ADP has much which can be utilized
- Humphrey has asked UAA for 5-year plan
- favors HB 410 - stifled ambitious group -
- " HB 415 also - difficulty in establishing statewide policies
- maint budget doesn't take care of developing institution
- ~~Univ~~ Univ shouldn't determine content of 2-yr program

Steve Haycox - 7 years on fac - 2 yrs at ACC, 5 at UAA

- fac role in degree requirements, courses, etc
- ① give regents + new pres time, ② comm college chancellor jurisdiction over lower div courses, Arch chancellor over BA + BS programs - conflict ③ UAA develop as 4-yr
- History course for comm coll different from History

Steve Haycox (cont)

at 4-yr school. Standards of performance should be different. Fac qual different - Univ commitment greater and training greater. Not inferiority & superiority - but difference.

- Support HB 493 - but keep as comm colleges
- Kenai, e.g., has to pay for teach, e.g., professor to come down to teach course. Recommends that fund be set up to pay for such help.
- Buch library - Hammond veto of capital funds.

Jim Hotchkiss - for 7 yrs, was on library consortium

- HB 493 terrible. How accredited?
- HB 410 may some time have been worse bill, but doubts it. Knows Oregon sit, now battles for money in leg.
- give Regents chance to work out problems - YEAR
- UAA taking resp for teaching lower division - large - courses.
- Charge Buch & Fbks w/ outlying area inst, using special funds. Added advantage of fresh instruction.

Joe Connors - 8th year ACC - ~~speech~~ speech & communications

- students had to choose ACC or UAA at registration
- some " told that ACC not accredited
- " " " " " " courses might not count
- ACT recognize superior students, give advance placement

Ralph Mc Grath - past president ACCFT

- sees "UAA" as ploy to isolate ACC
- productivity - ACC high, UAA low
- expansion of UAA lower-level courses used money appropriated for increasing proportion of full-time fac

Ralph McGrath - continued

Undergrad appl form - VAA w/ prerequisites, take courses at all units; or ACC student only.

ACT scores considered unimportant -

Mike Turner - counselor ACC - 7 years

- mission of ACC (one) give students transfer-able credits

- ACC closed 90% of courses, VAA had been instructed not close any.

- ACC had quick reactions to community needs, reaction now slower and incomplete.

- nobody at VAA knew when ACT to be given

Diane Owens -

fear that HB 493 would do away with union

Clair Martin - Dean School of Nursing

- 208 nursing students after BS, 15% are RN's

- offering 189 courses, ca 200 grad courses this year

- 1 yr - practical nurse, 2 yr - assoc deg, 3 yr dipl

orgn - first essential is budget integrity

- 2nd " " chance for input from natl org

- 3^d " " one which permits satellite prog.
sep comm coll program wouldn't be able to get accreditation - nor cost effective

800 of nurses now practicing in state do not have BS.
Not feasible to keep all continuing ed in one location