

077 SHESS SD 419 - 50 541

Section 1

AS 14.17.051 is amended as follows:

(6) for [Nenana City School District,] Delta School District, Alaska Gateway School District, Upper Railbelt Regional School District, Yakutat City School District, and Chugach School District, the district or area is entitled to receive 120 percent of the base instructional unit allotment;

(7) for Nenana City School District, Adak Regional School District the area is entitled to receive 140 percent of the base instructional unit allotment;

Section 1 is effective immediately and retroactive to January 1, 1980.

1300 of an Act, Alaska Stat. 14.17.051, effective 3-20-80
1200

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-419
 Title An Act increasing the instructional unit allotment of Copper River School District
 Requested by Senate HESS Date 3/20/80

II. FISCAL DETAIL

Agency Affected Department of Education
 Program Category Affected Elementary and Secondary Education
 BRU, Program, or Subprogram(s) Affected Foundation Support
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		98.9	105.8*	113.2	121.1	129.6
TOTAL						

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		98.9	105.8	113.2	121.1	129.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

Impact based upon FY-81 Initial Report of 62 I.U. x 5% increase in allotment.

* Annual Increase based upon 7% inflation.

IV. DATE 3/21/80

PREPARED BY William A. Thomas
 AGENCY Department of Education
 PHONE 465-2800

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

ALASKA DEPARTMENT OF EDUCATION
POSITION STATEMENT

Senate Bill 419

The Department has no position on this bill.

Approved by:



William D. Thomson
Deputy Commissioner
March 21, 1980

SB

428

SB 428

S. HESS 7065 amending the public school foundation program to provide state support for preschool and early childhood educ. programs

Introduced - 2-12-80

Logged - 2-12-80

Referrals: Finance

Comm. hearing 3-19-80 - held

" action

-Kaven-

Notify House State affairs
Catherine Ph: 4964

Notify Mary Asher in Harris - 766-2580

Notify - Kerry Romoberg - he sd may be out of town!

Sponsor notified
Mr Demerit of Comm. College will be here awaiting F/P
also Pres of Univ. Jay Barton will be here.

Notify: 5 Ron Hohman, 364-3441

3-20-80

Glean:

Mr Bill ^{Supr.} Mailer of
St. Mary's school district
called in support of
SB 428. I wanted you to
know. His address is
St. Mary's School District
Box 171, St. Marys, Alaska
99658.

M.

Asks him how many children
involved. Right now 7-3yr old
6-4yr old - But he does
support any & all preschool
programs. We sending letter.

ST. MARY'S SCHOOL DISTRICT

P.O. Box 171 • St. Mary's, Alaska 99658

WILLIAM MAILER
Superintendent

March 24, 1980

Senator Glenn Hackney
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Hackney:

I spoke with your administrative assistant, Ms. Mary Isaacs, on Thursday morning about SB428. I would like to voice strong support of that portion of the bill which deals with State Foundation Support for preschool (pre elementary) programs.

The St. Mary's School District has operated preschool classes for 3 and 4 year old children for seven years. All 3 and 4 year old children in our community attend preschool. Before learning about SB428 and the possibility of State support of our program, we made plans to expand the amount of time the preschoolers spend with their teacher. We will also offer kindergarten for a full day. The children have made significant progress in our existing program, and we anticipate even greater gains if the children spend more time in the classroom.

The existing educational literature and research support the "extended" day concept for pre elementary children.

Thank you for this opportunity to provide you with information on pre elementary education in St. Mary's. If you have any other questions, please do not hesitate to call me at 438-2311.

Sincerely,



William T. Mailer
Superintendent

WTM:bsc

Glenn

4-9-80
11:20AM

S.B 428- will
it be possible to
reschedule it - perhaps
before end of month?
Request of Ron Holman.
He mentioned taking out
post-secondary with CS.
Told him I'd ask you.
M.

Hildebrand, Sup. Ct. Op. No. 741 (File No. 1550), 491 P.2d 120 (1971).

The state supplies a minimum of 90% of school operating funds under

subsection (c) of this section. Macauley v. Hildebrand, Sup. Ct. Op. No. 741 (File No. 1550), 491 P.2d 120 (1971).

Sec. 14.17.022. Funds for centralized correspondence study. Funds for providing centralized correspondence study programs for students not enrolled in an approved school district correspondence study program shall include an appropriation from the public school foundation account in an amount calculated by multiplying the base instructional unit by the total number of instructional units as determined by applying the number of correspondence students to § 41 (a) of this chapter. (§ 2 ch 190 SLA 1975)

Effective date. — Section 6, ch 190, SLA 1975, provides: "This Act takes effect July 1, 1975."

Legislative committee report. — For report on ch. 190, SLA 1975 (HCS CSSB 367), see 1975 House Journal, p. 1277.

Sec. 14.17.030. Required local effort.

Repealed by § 11 ch 95 SLA 1969.

Editor's note. — The repealed section derived from § 1.07, ch. 164, SLA 1962, as amended by § 1, ch. 70, SLA 1963.

Sec. 14.17.031. Instructional units. (a) The total number of instructional units within each school district is the sum of

(1) the number of units for elementary schools and the number of units for secondary schools as determined from § 41 (a) or § 41 (b) of this chapter;

(2) the number of units for vocational education determined from § 41 (c) of this chapter as approved by the department;

(3) the number of units from special education determined from § 41(d) of this chapter as approved by the department; and

(4) if the district has five or more correspondence pupils enrolled in an approved district correspondence study program, the number of units for correspondence pupils determined by applying the number of correspondence pupils to § 41(a) of this chapter.

(b) A school district shall compute separately the number of allowable instructional units for each of its secondary schools.

(c) The commissioner may authorize any school district operating a school in a remote area to calculate the number of units to which that school would be entitled if it were a separate district and to include that number of units in the total number of instructional units within that district. (§ 4 ch 238 SLA 1970; am § 3 ch 81 SLA 1975; am § 4 ch 190 SLA 1975)

Effect of amendments. — The first 1975 amendment, effective July 1, 1975, inserted "as approved by the department" in paragraph (3) of subsection (a).

The second 1975 amendment, effective July 1, 1975, inserted "enrolled in an

approved district correspondence study program" in paragraph (4) of subsection (a).

Legislative committee report. — For report on ch. 190, SLA 1975 (HCS CSSS 367), see 1975 House Journal, p. 1277.

Sec. 14.17.040. Basic need.

Repealed by § 1 ch 238 SLA 1970, effective July 1, 1970.

Editor's note. — The repealed section derived from § 1.02, ch. 164, SLA 1962.

Sec. 14.17.041 Table of allowable instructional units.

(a) Elementary and secondary schools in districts with ADM under 1,000:

ADM	No. Instructional Units
under 10	1
10 — 20	2
21 — 32	3
33 — 46	4
47 — 62	5
63 — 80	6
81 — 999	6 plus 1 for each 18 pupils or fraction of 18.

(b) Elementary and secondary schools in districts with ADM of 1,000 or over:

ADM	No. Instructional Units
under 10	1
10 — 20	2
21 — 32	3
33 — 46	4
47 — 62	5
63 — 80	6
81 — 99	7
100 — 3005	7 plus 1 for each 19 pupils or fraction of 19
3006 and over	16 plus 1 for each 23 pupils or fraction of 23.

(c) Vocational education schedule:

ADM	No. Instructional Units
Full-Time Equivalent	
5 — 10	1
11 — 25	2
26 — 40	3
41 and over	3 plus 1 for each 20 pupils or fraction of 20 pupils in Full-Time Equivalent ADM

(d) Special education schedule:

ADM Full-Time Equivalent	No. Instructional Units
5 -- 8	1
9 -- 15	2
16 -- 24	3
25 -- 35	4
36 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in Full-Time Equivalent ADM

See Supplement

(§ 4 ch 238 SLA 1970; am § 1 ch 137 SLA 1972; am § 4 ch 81 SLA 1975)

Effect of amendments. — The 1972 amendment rewrote subsection (c). The 1975 amendment, effective July 1, 1975, rewrote subsection (d).

Sec. 14.17.050. Teachers' salaryent.

Repealed by § 1 ch 238 SLA 1970 effective July 1, 1970.

Editor's note. — The repealed section derived from § 1.04, ch. 164, SLA 1962; § 2.3, ch. 70, SLA 1963; § 1, ch. 78, SLA 1964; §§ 2, 3, ch. 98, SLA 1966; and § 1, ch. 153, SLA 1966.

Sec. 14.17.051. Instructional unit allotment. (a) The instructional unit allotment for each school district or regional educational attendance area is as follows:

- (1) if the district or area is in that part of the state lying within the boundaries of election district 1, 4 or 8, the district or area shall receive the base instructional allotment;
- (2) if the district or area is in that part of the state lying within the boundaries of election district 2, 3 or 7, the district or area shall receive 103.75 per cent of the base instructional unit allotment;
- (3) if the district or area is in that part of the state lying within the boundaries of election district 5, 9, 10 or 11, the district or area shall receive 107.50 per cent of the base instructional unit allotment;
- (4) if the district or area is in that part of the state lying within the boundaries of election district 16, south of the Arctic Circle, the district or area shall receive 111.25 per cent of the base instructional unit allotment;
- (5) if the district or area is in that part of the state lying within the boundaries of election district 6, the district or area shall receive 115 per cent of the base instructional unit allotment;

Effect of amendments. — The 1973 amendment inserted "or State-Operated School System" in paragraph (1) of former subsection (c).

The 1975 amendment, effective July 1, 1975, in subsection (a), substituted "regional educational attendance area" for "state" twice in the first sentence and once in the second sentence, and inserted "city or borough" twice in the first sentence and once in the second sentence. The amendment also inserted "city or borough school" in subsection (b), and deleted subsection (c).

Legislative committee report. — For report on ch. 53, SLA 1973 (CSHB 382), see 1973 House Journal, pp. 793, 885.

Section spells out duties of department of education. — The duties of the department of education, in regard to a state-operated school located in a newly incorporated city, are spelled out by this section. 1963 Op. Att'y Gen., No. 24, issued prior to 1975 amendment.

Responsibility of department to

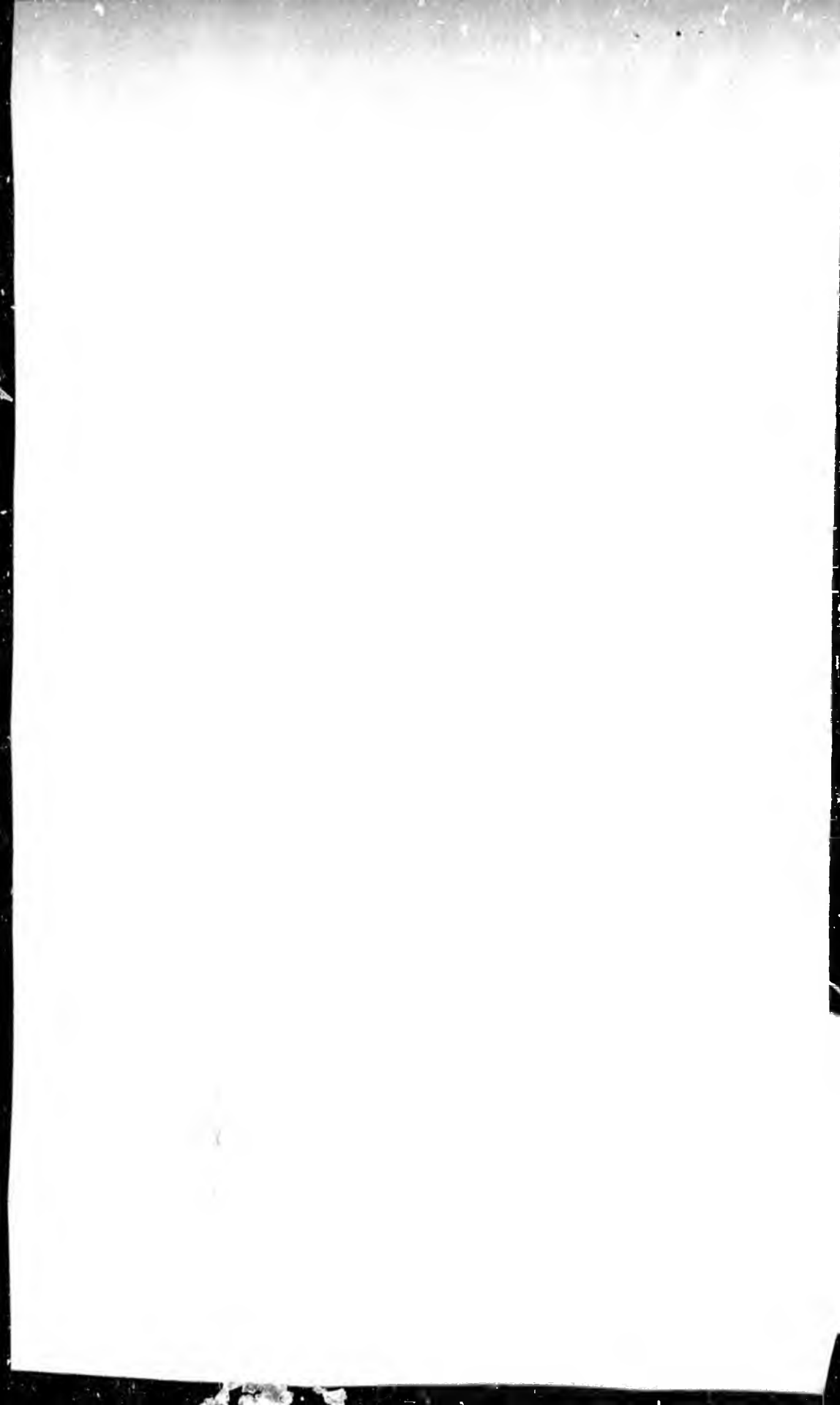
previously state-operated school. — After the formation of an organized borough or a city, the only special responsibility of the department of education toward a previously state-operated school, within the boundaries of the city or borough, is to provide financial support as provided by statute. The department of education must transfer the school to the local political subdivision so that such political subdivision may carry out its function of providing, operating, and maintaining schools. The department has no authority to continue maintaining and insuring such school buildings after the formation of a newly organized borough or city. If a brief period is necessary for the details of the transfer to be arranged, a use agreement must be executed, whereby the political subdivision assumes the major responsibilities of ownership, including costs of maintenance and insurance. 1963 Op. Att'y Gen., No. 24, issued prior to 1975 amendment.

Sec. 14.17.215. State aid to districts affected by state activities. (a) A school district which provides free public education to a student whose parent or guardian works on or lives on state property shall receive an additional yearly allotment under this chapter equal to the percentage of the state average cost of education, as reflected in the audit report of district schools for the prior fiscal year, per student times the number of qualifying students in average daily membership, as follows:

- (1) 50 per cent for a student whose parent or guardian lives on and works on state property;
- (2) 25 per cent for a student whose parent or guardian works on state property;
- (3) 25 per cent for a student whose parent or guardian lives on state property.

(b) In this section "state property" means real property which is owned by the state or is leased by the state and which is not subject to taxation or payments in lieu of taxes by the state or a political subdivision of the state; the term includes real property owned by the state and leased from it, as well as improvements leased from it, even though the lessee's interest, or an improvement on the property, is subject to taxation by a state or a political subdivision of the state. (§ 7 ch 95 SLA 1969)

(Sec. 14.17.220.) Purpose. It is the intention of the legislature, in enacting this public school foundation program, to assure an adequate level of educational opportunities for those in attendance in the public schools of the state. This chapter shall not be interpreted as preventing a public school district from providing educational services and facilities



(4) "elementary school" means a school consisting of grades one through eight, kindergarten through eight, or an appropriate combination of grades within this range;

(5) "fiscal year" means the year beginning July 1 and ending June 30 for which allotments and entitlements are computed or distributed;

(6) "pre-fiscal year" means the year immediately before the fiscal year;

(7) Repealed by § 3 ch 238 SLA 1970.

(8) "public school foundation account" means the account created by § 10 of this chapter for use in financing education in public elementary and secondary schools;

(9) "secondary school" means a school of grades seven through twelve, or an appropriate combination of grades within this range. When grades seven through eight, nine, or ten are organized separately as a junior high school, or grades ten through twelve are organized separately as a senior high school and are conducted in separate school plant facilities, each is considered a separate secondary school for the purposes of this chapter;

(10) Repealed by § 3 ch 238 SLA 1970.

(11) "taxable real and personal property" means all real and personal property taxable under the laws of the state, but does not include household goods and personal effects;

(12) Repealed by § 3 ch 238 SLA 1970.

(13) Repealed by § 2 ch 40 SLA 1971.

(14) Repealed by § 2 ch 40 SLA 1971.

(15) Repealed by § 2 ch 40 SLA 1971.

(16) Repealed by § 2 ch 40 SLA 1971.

(17) "ADM full-time equivalent" means the quotient of the aggregate periods of pupil membership per day in specified classes, divided by the number of class periods in the school day;

(18) "instructional unit" means the aggregate of all direct and indirect services necessary to provide a standard level of instruction for a group of pupils;

(A) "direct services" include, but are not limited to supplying teacher services, textbooks, reference materials, pupil and teacher supplies, as well as utilities and custodial services;

(B) "indirect services" are those auxiliary or supporting functions that complement direct services and include, but are not limited to administration, transportation, food, attendance and activities;

(C) "instructional unit" does not include items of community service, capital outlay or debt service. (§ 4.02 ch 164 SLA 1962; am §§ 7, 8 ch 98 SLA 1966; am § 3 ch 153 SLA 1966; am § 18 ch 69 SLA 1970; am §§ 3, 11 ch 238 SLA 1970; am § 2 ch 40 SLA 1971; am § 14 ch 124 SLA 1975)

Sec. 14.17.250 Definitions. In this chapter, unless the context otherwise requires

(19) "weighted ADM" means the number of students in average daily membership in an educational program, adjusted to reflect the level of service required by them in that program as determined by the department.

am § 8 ch 115 SLA 1978)

Effect of amendments.
 The 1976 amendment, effective July 1,
 substituted "95 per cent" for
 "93 per cent" in paragraphs (2)
 and (3).
 Section 2, ch. 90, SLA 1977, effective July
 1, 1977, added the second sentence of

subsection (a). Section 3 of ch. 90, effective
 July 1, 1978, substituted "97 per cent" for
 "95 per cent" in paragraphs (2) and (5) of
 subsection (c).
 As the rest of the section was not
 affected by the amendments, it is not set
 out.

§ 14.17.031. Instructional units. (a) The total number of instructional units within each school district is the sum of

- (1) the number of units for elementary schools and the number of units for secondary schools as determined from § 41(a), (b), (c), or (d) of this chapter;
 - (2) the number of units for vocational education determined from § 41(e) of this chapter as approved by the department;
 - (3) the number of units from special education determined from § 41(f) of this chapter as approved by the department;
 - (4) if the district has five or more correspondence pupils enrolled in an approved district correspondence study program, the number of units for correspondence pupils determined by applying the number of correspondence pupils to § 41(a) of this chapter; and
 - (5) the number of units for bilingual education determined from § 41(g) of this chapter as approved by the department.
- (b) A school district shall compute separately the number of allowable instructional units for each of its secondary schools except as provided in (c) of this section.
- (c) The commissioner shall authorize any school in a remote location to establish an associated secondary school when the sum of the average daily membership in grades five through eight is greater than 20. Notwithstanding § 41 of this chapter, any school or school district operating a remote elementary school with 20 or fewer total average daily membership in grades five through eight may conduct a secondary program subject to approval of the commissioner and use the following table to calculate the number of allowable instructional units for the combined elementary and secondary program of the remote school:

ADM	No. Instructional Units
under 12	3
12—20	4
21—32	5

(d) If the instructional units which a school district is entitled to under (a) of this section decrease by 10 per cent or more from one year to the next, the school district may use the last year before the reduction as a base year and offset its reduction according to the following schedule: for the first year after the base year, the school district is entitled to the instructional units determined under (a) of this section plus 75 per

Supplemental

cent of the difference in instructional units between the base year and the first year; (2) for the second year after the base year, the school district is entitled to the instructional units determined under (a) of this section plus 50 per cent of the difference in instructional units between the base year and the second year; (3) for the third year after the base year, the school district is entitled to the instructional units determined under (a) of this section plus 25 per cent of the difference in instructional units between the base year and the second year. The schedule established in this subsection is available to each school district for the three years following the base year only so long as the entitlement to instructional units under (a) of this section for each year is less than the entitlement in the base year. (§ 4 ch 238 SLA 1970; am § 3 ch 81 SLA 1975; am § 4 ch 190 SLA 1975; am §§ 4-6 ch 90 SLA 1977; am § 1 ch 171 SLA 1978)

Effect of amendments.

Sections 4 and 5, ch. 90, SLA 1977, effective July 1, 1978, substituted "§ 41 (a), (b), (c), or (d)" for "§ 41 (a) or § 41 (b)" in paragraph (1), "§ 41 (e)" for "41 (c)" in paragraph (2), and "§ 41 (f)" for "41 (d)" in paragraph (3), all in subsection (a), added

"except as provided in (c) of this section" to the end of subsection (b), and revised subsection (c). Section 6 of ch. 90, effective July 1, 1977, added subsection (d).

The 1978 amendment, effective July 1, 1978, added paragraph (5) of subsection (a).

Sec. 14.17.041. Table of allowable instructional units in elementary schools in districts with ADM under 1,000:

ADM	No. Instructional Units
under 20	2
20—32	3
33—46	4
47—62	5
63—80	6
81—99 ^a	6 plus 1 for each 18 pupils or fraction of 18

(b) Elementary schools in districts with ADM of 1,000 or over:

ADM	No. Instructional Units
under 20	2
20—32	3
33—46	4
47—62	5
63—80	6
81—99	7
100—3005	7 plus 1 for each 19 pupils or fraction of 19
3006 and over	160 plus 1 for each 21 pupils or fraction of 21

Supplement

c. Secondary schools in districts with ADM under 1,000:

ADM	No. Instructional Units
under 33	3
33-46	4
47-62	5
63-80	6
81-999	6 plus 1 for each 18 pupils or fraction of 18

d. Secondary schools in districts with ADM of 1,000 or over:

ADM	No. Instructional Units
under 33	3
33-46	4
47-62	5
63-80	6
81-99	7
100-3005	7 plus 1 for each 19 pupils or fraction of 19
3006 and over	160 plus 1 for each 21 pupils or fraction of 21

(e) Vocational education schedule:

ADM	No. Instructional Units
Full-Time Equivalent	
5-10	1
11-25	2
26-40	3
41 and over	3 plus 1 for each 20 pupils or fraction of 20 pupils in Full-Time Equivalent ADM

f. Special education schedule:

ADM	No. Instructional Units
Full-Time Equivalent	
5-8	1
9-15	2
16-24	3
25-35	4
36 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in Full-Time Equivalent ADM

(g) Bilingual education schedule:

Weighted ADM

1—12

13—18

19—42

43 and over

No. Instructional Units

1

2

3

3 plus for each

24 weighted ADM or

fraction of 24

weighted ADM

Bill would add paragraphs L & J

(§ 4 ch 238 SLA 1970; am § 1 ch 137 SLA 1972; am § 4 ch 81 SLA 1973; am § 7 ch 90 SLA 1977; am § 2 ch 115 SLA 1978)

Effect of amendments.

The 1977 amendment effective July 1, 1978, rewrote this section.

The 1978 amendment, effective July 1,

1978, added subsection (g).

Sec. 14.17.051. Instructional unit allotment. The instructional unit allotment for each school district or regional educational attendance area is as follows:

(1) for Gateway Borough School District, City and Borough of Juneau School District, and Anchorage School District, the district is entitled to receive the base instructional unit allotment;

(2) for Annette Island School District, Petersburg City School District, Wrangell City School District, Sitka Borough School District, and Matanuska-Susitna Borough School District, the district or area is entitled to receive 104 per cent of the base instructional unit allotment;

(3) for Craig City School District, Hydaburg City School District, Klawock City School District, Kake City School District, Chatham School District, Skagway City School District, Southeast Island School District, and Kenai Peninsula Borough School District, the district or area is entitled to receive 108 per cent of the base instructional unit allotment;

(4) for Pelican City School District, Hoonah City School District, and North Star Borough School District, the district or area is entitled to receive 112 per cent of the base instructional unit allotment;

(5) for Copper River School District, Cordova City School District, Valdez City School District, and Haines Borough School District, the district or area is entitled to receive 115 per cent of the base instructional unit allotment;

(6) for Nenana City School District, Delta School District, Alaska Gateway School District, Upper Railbelt Regional School District, Yakutat City School District, and Chugach School District, the district or area is entitled to receive 120 per cent of the base instructional unit allotment;

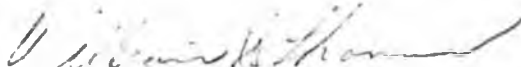
(7) for Adak Regional School District the area is entitled to receive 140 per cent of the base instructional unit allotment;

ALASKA DEPARTMENT OF EDUCATION
POSITION STATEMENT

SB-428

The State Board of Education is in general agreement with the concepts encompassed by the bill, but feels it does not have sufficient financial or demographic data to support actual legislation.

Approved by:



William D. Thomson
Deputy Commissioner
March 19, 1980

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-428
 Title An Act amending the public school foundation program...for preschool & postsecondary
 Requested by Senate HESS Date 3/19/80

II. FISCAL DETAIL

Agency Affected Department of Education
 Program Category Affected Elementary and Secondary Education
 BRU, Program, or Subprogram(s) Affected Foundation Support
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		33,079.0	35,394.5	37,872.1	40,523.2	43,359.8
TOTAL						

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		33,079.0	35,394.5	37,872.1	40,523.2	43,359.8
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

The above impact is with respect to the early childhood development program only, and is only an estimate based upon information from 23 school districts, extrapolated over all districts, with the assumptions being that 25% of present ADM levels will participate at .5 FTE each. We have no way of calculating the costs of the postsecondary education program. *Cost does not include facilities needs occasioned by increased ADM.

IV. DATE 3/19/80 PREPARED BY *William H. ...*
 AGENCY Department of Education
 Original: Legislative Finance PHONE 465-2800
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Jim Ayers

Child Development Group CPC

Plan for early childhood program

3 mill \$ 7.5 - serving less than 20% of kids

$$\frac{20}{30000} = \frac{75}{3} \cdot \frac{10^3}{x} \quad 20x = 300^2$$

Barry Condit

120 children

40% of 120 available within state

40

2000

How much money by child care program

Condit

Sackett Street, N.Y.C.

SENATE BILL 428

Proposed Amendments

1. Limit the scope of 428 to pre-school education only.
2. Amend the following statutes:
 - (a) Expand A.S. 14.03.060 to include "early childhood development program" within the definition for elementary schools.
 - (b) Add a section to A.S. 14.03.080 to allow children to enter the system at age 2.
 - (c) Amend A.S. 14.17.250 (4) to define "early childhood development program" as a program adopted by the local district for education of children aged 2 through 5.
 - (d) Add a provision to A.S. 14.03.083 which exempts agencies who contract with districts for the purpose of providing early childhood development programs so long as the contracting agency is in compliance with the requirements imposed by the federal headstart act and regulations promulgated thereunder.
3. Add legislative intent to encourage the local districts to contract with agencies such as head start and others which emphasize parental input in structuring pre-school programs.
4. Add a provision which will exempt the certification requirements of A.S. 14.20 to those agencies which contract with the local district to provide education for children enrolled in an early childhood development program. (Subject to the requirements of 14.03.083.)

Larry L. Caudle
By Legislative Council
By request

March 17, 1980

Mr. Rodney Enos,
Campus President
Ketchikan Community College
7th and Madison
Ketchikan, Alaska 99901

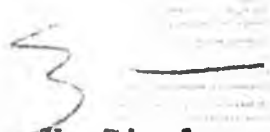
Dear Rod:

Receipt of your letter of March 7 is acknowledged, and your comments are noted.

I shall watch SB 428 very carefully.

In the meantime, I have taken the liberty of sending a copy of this letter and a copy of your letter to Senator Hackney, a most knowledgeable senator, who chairs the Senate Health, Education and Social Services Committee.

Regards,


Robert H. Ziegler, Sr.

RHZ:lk

cc: Senator Hackney

KETCHIKAN COMMUNITY COLLEGE

7th and Madison
KETCHIKAN, ALASKA 99901
907-225-6177



March 7, 1980

Senator Robert Ziegler
State Capitol
Pouch V
Juneau, AK 99801

Dear Bob:

Senate Bill 428 entitled "An Act Amending the Public School Foundation Program to Provide State Support for Pre-School and Postsecondary Education Programs and Providing for an Effective Date" was brought to my attention and I would like to respond to it.

In Paragraph 21 a meaning of postsecondary adult education program is given. It states, "a program established by the district or operated for the district by the University of Alaska and approved by the Commissioner with the principal purpose of which is to provide academic and vocational instruction for two academic years after grade twelve."

It would appear that if this passed, we are creating a possibility of a second community college system within the state under the auspices of the local school boards. It also appears that it would be giving the Commissioner of Education the approval process for establishing community colleges throughout the state.

Having served in a community college that was under the K-12 local school district authority, I feel that any move in this direction would be taking the community college movement and its education philosophy back many, many years. In that experience, the money first went to the elementary and secondary schools and then the community college received the remainder. The feeling being that the adults had had their opportunities for education, the board should concentrate the monies on the younger people.

I would hope that this does not pass and that we continue to be post-secondary educational institutions under the leadership of postsecondary educational leaders.

Sincerely,

Rodney Enos
Campus President

RE:s1



Preschool &
Postsecond-
ary Programs
(state sup-
port for)

SENATE BILL NO. 418, by the Rules Committee by request of the Legislative Council by request. Amends "PURPOSE" for Public School Foundation Program (AS 14.17.220) to read: "It is the intention of the legislature, . . . to assure an adequate level of educational opportunities for those in attendance in the public schools of the state, for those enrolled in early childhood development education programs, and for those enrolled in post-

secondary education programs. . . ." (Underlined material added.) Defines "early childhood development program" as course or program for children under six who do not attend an elementary school and "postsecondary adult education program" as a program whose principal purpose is to provide academic or vocational instruction for two academic years after grade 12. Adds new subsections to AS 14.17.041 which set out number of instructional units allowed for varying levels of ADM's (Average Daily Memberships) for early childhood dev. programs and for postsecondary adult education programs. Provides Act effective July 1, 1980.

Introduced February 12 and referred to HESS, then to Finance.

SB

506

A M E N D M E N T

OFFERED IN THE SENATE:

By: SENATE HESS

To: _____ SENATE BILL No. 506

HOUSE BILL No. _____

PAGE: 1

LINE: 13

line 13: after "RuralCAP" insert "in consultation with the
Department of Education"

1
Introduced 3-4-80
Logged - 3-4-80
Referral Finance
Comm. meeting 5-7-80

" article 5-7-80 - heard out committee referred to Finance with Am.
5-8-80 - taken Senate floor @ 8:30 AM.

SB 506. S. HESS 79-80
By the Finance Com. "An act making a spec. appropriation
to Rural CAP for a study identifying
the needs of preschool aged
children and for a plan to
meet those needs." I-16

to other bill in SB 428 - FIN herein
(preschool age children)

✓ Call 3522 - 2615 office
James MacArthur when
per. called for financing

✓ Call Jim Erickson 3824 - 3870
- Rep. Parker office.

✓ Notify David Kotycko - 586 - 2919
" Jim Ayes (and) 279 - 2511
(the work for both)

4-30-80 ✓ Notify Robb Lohr his deputy director
Mr Lohr wants study done prior
to money. He wants outlined
what to be done. Then give money
to fund only after study.

5/1/80 CARA notified

BUDGET FOR PRELIMINARY DATA COLLECTION

&

ASSESSMENT AND RECOMMENDATION

for a

STATE OFFICE OF CHILD DEVELOPMENT

July 1, 1980 - January 20, 1982

PERSONNEL (18.5 mos)

Coordinator/Advocate	38,830
Secretary II	23,475
. Fringe @ 19%	<u>11,838</u>
	74,143

CONSULTANTS

Data processing & programming--needs assessment and resource information	30,000
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TRAVEL/PER DIEM

Coordinator 4 trips/3 days/12 regions @900	43,200
Advisory Group Planning Meetings 12 reps/2 days/6 mtgs @ 800	<u>57,600</u>
	100,800

PRINTING

Newsletter 7 @800	5,600
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TELEPHONE

18.5 mos @100/mo.	1,850
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ADMINISTRATIVE COSTS

12%	28,800
-----	--------

GRAND TOTAL.	<u><u>\$241,193</u></u>
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April 21, 1980

File

Dear Senator Hackney,

I am writing to support the concept of the establishment of a coordinating body for children's services (designated an Office of Child Development in HB 935 and SB 506). The need to orchestrate the many services offered to Alaska children and their families, and the need to properly evaluate the effectiveness of such programs, are salient reasons for such an "Office".

I am not convinced that an Office of Child Development is the proper placement for such functions, although I know that Rural CAP wants such an office and will make a strong case for such in any needs assessment it performs for the Legislature.

I am definitely against the expenditure of \$250,000 for a needs assessment. Many agencies of the Alaska State government are currently required by law to produce yearly assessments of the needs of children. Piles of studies already exist on the subject. (I have just finished re-reading an extensive LONG-RANGE, COMPREHENSIVE PLAN FOR EARLY CHILDHOOD EDUCATION IN ALASKA, prepared by the Northwest Regional Educational Laboratory, for the State Department of Education, in June 1972, which never received public discussion.)

State personnel are in place, all over Alaska, to conduct on-site meetings about the needs of children. Agency files are bulging with reports which can be abstracted. The results of the 1980 Census will soon be available through State channels. Early childhood people will gladly participate as part of their professional duties. A special request from the Legislature might even re-activate a study by the League of Women Voters who, in 1970-71, did the best piece of work on children's needs ever completed in Alaska.

The point is that many people are available, without the expenditure of a quarter of a million dollars, to participate in assessing the needs of children in every corner of the State. The placement of a short-term planner in the Governor's Planning Office or the use of an additional person in Charlie Mae Moore's pre-school section, at the State Department of Education, would do the job at much less cost and with much more availability to public and private agency information.

If it is your wish to fund an outside agency to carry out the assembling of material on early childhood needs, please at least amend the bills to use a Request for Proposals approach to contract. The Legislature and the public deserve a rather special study for that amount of money.

I would like to see the State of Alaska contract for a study which will command respect for its thoroughness and objectiveness. I know many planning firms which have experience in this particular subject. Objective studies has never been Rural CAP's forte since their business is advocacy.

If these bills are really a means of enlarging the State subsidy for Rural CAP's Headstart Program, from about \$300,000 to \$550,000, I apologize for the waste of time in submitting this letter. I know that Rural CAP is experiencing money trouble in funding its state-wide Headstart Program. I believe that the current money crunch will lead Rural CAP to re-evaluate the way it provides Headstart in many Alaska communities. I hope that soon the program controlled by Rural CAP will be distributed to the various school districts as a means of providing seed money for starting up pre-school programs under local parent control. An increase of Rural CAP subsidy will be well-spent if it will help to implement SB 428.

TO RE-CAP: (Not a pun)

1. Please implement a study of the needs of young children and the needs for coordination and evaluation of existing children's programs. (A Request for Proposals method would be more equitable.)
2. Please try to find a less costly way to conduct such a study by using knowledgeable State and private persons ready to assist.
3. Please pass SB 428 which will allow local school districts to start pre-school programs as a local option, using State funds.
4. Please encourage Rural CAP to spin-off its Headstart programs to local communities and contribute funds to the start-up of locally operated preschool classes, articulated to regular school programs.

Thank you for your attention.

Ruth Ellen Andersen

Ruth Ellen Andersen
1306 West Sixth Avenue #7
Anchorage, Alaska 99501
(907) 272 - 2798

Robt. Lohr-

(279-2511)

Deputy Dir. Rural Exp
(Arch.)

4/30/80 - he in - wants study
done prior to money outlay
what he done - then give
money to fund.

Evidence in review office don't know
why he is in the above.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-506
 Title Act making a special appropriation to RuralCAP for a study identifying
 Requested by Senate HESS Date needs of preschool children....

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		250.0				
TOTAL						

FUNDING (Thousands of Dollars)

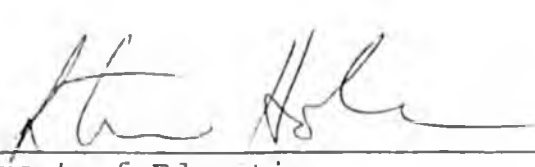
GENERAL FUND		250.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		N/A				
PART TIME						
TEMPORARY						

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

The fiscal impact of this bill is 250.0 for FY-81 only, pursuant to section 1 of the bill.

IV. DATE 5/5/80 PREPARED BY 
 AGENCY Department of Education
 PHONE 465-2800
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

BUDGET FOR PRELIMINARY DATA COLLECTION

&

ASSESSMENT AND RECOMMENDATION

for a

STATE OFFICE OF CHILD DEVELOPMENT

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TELEPHONE

18.5 mos @100/mo.	1,850
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ADMINISTRATIVE COSTS

12%	28,800
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GRAND TOTAL

\$241,193

POSITION PAPER

SENATE BILL NO. 506

"An Act making a special appropriation to Rural CAP for a study identifying the needs of preschool age children and for a plan to meet those needs; and providing for an effective date."

Senate Bill No. 506 appropriates the sum of \$250,000 for a study identifying the needs of preschool age children in Alaska and a plan for meeting those needs.

The need for a comprehensive plan for services for preschool age children in Alaska is uncontested. It certainly will require some commitment of high caliber staff time, clerical support and travel funds. It might even entail support for a public input forum. The Department of Health and Social Services is neutral on the amount of the appropriation.

Rural CAP would be a very suitable agency to accomplish this task if it can be made very clear that the plan should address all areas and all economic strata within Alaska.

Recommended by: *D. F. Tirador*
Dean F. Tirador, M.D.
Director, Division
of Public Health

Date: 4/31/80

Approved by: *Helen D. Beirne*
Helen D. Beirne
Commissioner

Date: 5-6-80

FISCAL NOTE

I. REQUEST Senate Bill No. 506
 Bill/Resolution No. _____
 Title Rural CAP Pre-school child study
 Requested by Commissioner's Office Date 4/19/80

II. FISCAL DETAIL Department of Health and Social Services
 Agency Affected _____
 Program Category Affected Health/Division of Public Health
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	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	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	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)

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

Prepared by: Mary Deaver
 Division, Office: P.H. Admin.
 Department of Health & Social Services

Date: 4/19/80
 PH: 5090

Appropriation SENATE BILL NO. 506, by the Finance Committee. Appropriates
(special) \$250,000 to the Department of Community and Regional Affairs
(RuralCAP for payment as a grant to RuralCAP for the preparation of a
study) report to be submitted to the legislature within the first
10 days of the Second Session of the Twelfth Legislature which
will include information on the needs of preschool age children
in Alaska; the results of a study of the means of meeting the

the needs of preschool age children in Alaska, including the effectiveness of establishing an office of child development in the executive branch of state government; and a plan for meeting needs of preschool age children with both public and private resources. Provides Act takes effect July 1, 1980.

Introduced March 4, and referred to HESS, then to Finance.

SB

522

Introduced: 3-13-50
Logged: 3-13-50
Referral: Finance
Comm. Meeting 3-17-50
" Action passed and rec.

SB 522 "An act relating to entering S. HESS 7/19-80
By HESS Compact for Education Designating the
members of the Education Com. &
provision for effective dates"

Notified Dept of Educ. Local
informed Mary Lou Madden would
be here. also requested P/W.

SENATE BILL NO. 522, by the Health, Education and Social Services Committee. Enacts the Compact for Education into law and enters into it on behalf of the State of Alaska with all other states and jurisdictions legally jointing in it. Outlines terms and provisions of the compact.

Basic purpose of compact is to establish and maintain close cooperation on a nationwide basis at the state and local levels among the various leaders in the field of education, provide a forum for public policy alternatives, provide a clearinghouse of information on educational problems and how they are being met in different places in the country, and facilitate the improvement of state and local educational systems.

Establishes the Education Commission of the States consisting of seven members representing each party state. Not more than 10 non-voting commissioners may be selected by the steering committee for one year terms. They shall represent leading national organizations of professional educators or persons concerned with educational administration. Provides for officers and staff and outlines powers of Commission, cooperation with the federal government, committees of the Commission, financial provisions, entry into and withdrawal from compact by eligible parties, construction and severability of compact, and the members of the Commission (the Governor, the Commissioner of Education, two members from the legislature, the President of the State Board of Education, and two appointed at large by Governor). Provides Act effective immediately.

Introduced March 13 and referred to Health, Education and Social Services and Finance.

There has been in the three year history, there has been 6 recalls.

Sen. Sturgulewski. There will be quite a lot of work done in the interim having to do with elections and certainly in recalls, but this is just a very simply thing. All it does is to move from you (DOE) to Elections.

Sen. Ferguson. The House has introduced HB 245 dealing with elections and I believe that Sen. Kelly with his election reform bill is going to take a look at the whole works in recall and not to necessarily hinder people from having someone recalled, but to stipulate certain items.

Bill Thompson. Section 4 would change who appoints the non-voting member of the military community when the department contracts with the contiguous municipalities for educational services in the on-base schools. That representative would be appointed by the affected school board rather than the State Board of Education.

Section 5, This clarifies restrictions on employment and nepotism and what exactly is the course.

Sen. Hackney. The repealers are as simply pointed out in Sen. Ferguson's memorandum.

Bill Thompson. Section 6 is repealers dealing with community school committees because it becomes superfluous with the adoption of section 2 of the bill.

Se Section 7 repeals the Alaska participation in the education compact of the states which is the educational commission of the states. Our recommendation for that is that each year the dues are increasing and we can get the same information as far as an informative service from other sources, U. S. Office of Education, Teacher councils, National School Boards Association, and so on. As you know there is a fiscal note attached that becomes effective in 1981. The way the law reads, for Alaska participation, we have to notify them a year ahead that we are no longer going to participate therefore we would have to pay our dues in FY 80. But in FY 81 it would have a negative impact of \$18.8 thousand.

Basically the ^{educational commissions} ~~community school advisory committees~~ are more political than professional. Alaska's membership is made up as legislators, the governor's office, state board of education and the commissioner and what they do is an exchange of information between states. That's as far as what they provide in professional assistance to the department on educational finance, teacher certification, whatever.

Sen. Sturgulewski. I move CSHB 211am move from committee with a do pass recommendation.

NO objections so ordered.

1979
HB 211

EDUCATIONAL COMMISSION OF THE STATES

(AS 14.40.700; 7 members; 2 at-large with 4-year term; serve at the pleasure of the governor)

MEMBERS	REPLACING	APPT.	TERM
The Honorable Jay S. Hammond Governor of the State of Alaska Pouch A Juneau, Alaska 99811 (Chairman)			
The Honorable Marshall Lind Department of Education Pouch F Juneau, Alaska 99811			
Ms. Thelma Langdon President Board of Education 2363 Captain Cook Drive Anchorage, Alaska 99502		78/07/20	
Mr. Wendell H. Pierce 1860 Lincoln Street 300 Lincoln Tower Denver, Colorado 80203 (Executive Director)			
Mrs. Doris Ray 1209 Tenth Avenue Fairbanks, Alaska 99701		76/06/01	80/05/27
State Senator			
The Honorable Charles H. Parr Representative Alaska State Legislature Pouch V Juneau, Alaska 99811			

CONTACT AGENCY:

Department of Education
Office of the Commissioner
(465-2800)
ID #24

H 3 2 1 1

MARCH 17, 1980

SB 522

NATIONAL SCENE —
NEW - DEPT. OF ED

Marylu Maddan. The State Board is meeting in town and it just took a position on SB 522 to support reenactment of the Compact and also asking the Department of Education to do an annual evaluation of the benefits to the Department and the educational community from ECS membership.

The Board asked me to relay to the committee that some of our earlier concerns which prompted us last year to ask for the repeal of 14.47.100 has changed significantly. Number 1 being the financial picture of the state. The dues went up tremendously last year, from our point of view, to \$18,500. That was the major reason for asking for the repeal. But also, the question was just asked, "but what is the difference between the compact and some of the other education organizations?". In our opinion, that is the heavy involvement of the legislative branch and other areas of the executive branch. We see a renewed interest from those two areas in working with the compact so we are now ready to support it again.

We'd be happy to share the results of our evaluation with you people to put together with your own evaluation the benefits of the compact to the legislature.

One of the greatest strengths of the compact is that it is not just educators talking to the Department of Education or any other federal agency. It's real success depends upon the involvement of the legislatures from the various states and getting that other point of view across to federal officials.

Sen. Colletta. On page 10, line 8, why should one of the designated members be the president of the state board of education?

Marylu Maddan. The language of this particular legislation was taken directly out of the language of the compact. I have no idea why when the compact was originally drawn up that they chose the president of the state board of education to be a mandated member except, I assume, because of the central policymaking role that state boards of education do play in educational policy in the various states.

Sen. Colletta. It's my recollection of what this board did, and if it parallels what its done in the past, it's no different than the national association that legislators belong to. We do have an exception with ours, they are for two year terms, but here you are appointing an individual who is president of the board and which

is generally is a one year term. So by the time he or her activities could come to pass, they are no longer in that position.

Marylu Maddan. My only response is that this language was drafted by the commission itself and I can only . . . it is uniform across the country. I don't know what kind of flexibility, quite frankly, the legislature does have in changing members of the commission from the different states. We can look into that if you'd like.

Sen. Colletta. It would seem you should because although it is uniform language, nonetheless, it is Alaskan statute.

Marylu Maddan. We'd be happy to inquire into that if you'd like.

Our copy

Introduced: 3/13/80
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 522

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act enacting and entering into the Compact for
7 Education and designating the members of the Education
8 Commission; and providing for an effective date."

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

10 * Section 1. AS 14.40 is amended by adding new sections to read:

11 ARTICLE 8. COMPACT FOR EDUCATION.

12 Sec. 14.40.700. Entry into Compact. The Compact for Education is
13 enacted into law and entered into in behalf of the State of Alaska with
14 all other states and jurisdictions legally joining in it in a form
15 substantially as contained in AS 14.40.710.

16 Sec. 14.40.710. TERMS AND PROVISIONS OF COMPACT. The terms and
17 provisions of the compact referred to in AS 14.40.700 are as follows:

18 COMPACT FOR EDUCATION.

19 ARTICLE I. PURPOSE AND POLICY.

20 Section A. It is the purpose of this compact to:

21 (1) establish and maintain close cooperation and understand-
22 ing among executive, legislative, professional educational and lay
23 leadership on a nationwide basis at the state and local levels;

24 (2) provide a forum for the discussion, development, crystal-
25 lization and recommendation of public policy alternatives in the field
26 of education;

27 (3) provide a clearinghouse of information on matters
28 relating to educational problems and how they are being met in different
29 places throughout the nation, so that the executive and legislative

1 branches of state government and of local communities may have ready
2 access to the experience and record of the entire country, and so that
3 both lay and professional groups in the field of education may have
4 additional avenues for the sharing of experience and the interchange of
5 ideas in the formation of public policy in education;

6 (4) facilitate the improvement of state and local educational
7 systems so that all of them will be able to meet adequate and desirable
8 goals in a society which requires continuous qualitative and quantita-
9 tive advance in educational opportunities, methods and facilities.

10 Section B. It is the policy of this compact to encourage and
11 promote local and state initiative in the development, maintenance,
12 improvement and administration of educational systems and institutions
13 in a manner which will accord with the needs and advantages of diversity
14 among localities and states.

15 Section C. The party states recognize that each of them has an
16 interest in the quality and quantity of education furnished in each of
17 the other states, as well as in the excellence of its own educational
18 systems and institutions, because of the highly mobile character of
19 individuals within the nation, and because the products and services
20 contributing to the health, welfare and economic advancement of each
21 state are supplied in significant part by persons educated in other
22 states.

23 ARTICLE II. THE COMMISSION.

24 Section A. The Education Commission of the States, hereinafter
25 called "the commisston," is hereby established. The commission shall
26 consist of seven members representing each party state. In addition to
27 any other principles or requirements which a state may establish for the
28 appointment and service of its members of the commission, the guiding
29 principle for the composition of the membership on the commission from

1 each party state shall be that the members representing such state
2 shall, by virtue of their training, experience, knowledge or affili-
3 ations be in a position collectively to reflect broadly the interests of
4 the state government, higher education, the state education system,
5 local education and lay and professional public and nonpublic educa-
6 tional leadership. In addition to the members of the commission
7 representing the party states, there may be not to exceed 10 nonvoting
8 commissioners selected by the steering committee for terms of one year.
9 Such commissioners shall represent leading national organizations of
10 professional educators or persons concerned with educational adminis-
11 tration.

12 Section B. The members of the commission shall be entitled to one
13 vote each on the commission. No action of the commission shall be bind-
14 ing unless taken at a meeting at which a majority of the total number of
15 votes on the commission are cast in favor thereof. Action of the com-
16 mission shall be only at a meeting at which a majority of the commis-
17 sioners are present. The commission shall meet at least once a year.
18 In its bylaws, and subject to such directions and limitations as may be
19 contained therein, the commission may delegate the exercise of any of
20 its powers to the steering committee or the executive director, except
21 for the power to approve budgets or requests for appropriations, the
22 power to make policy recommendations pursuant to Article III and
23 adoption of the annual report pursuant to Article II (j).

24 Section C. The commission shall have a seal.

25 Section D. The commission shall elect annually, from among its
26 members, a chairman, who shall be a governor, a vice chairman and a
27 treasurer. The commission shall provide for the appointment of an
28 executive director. Such executive director shall serve at the pleasure
29 of the commission, and together with the treasurer and such other

1 personnel as the commission may deem appropriate shall be bonded in such
2 amount as the commission shall determine. The executive director shall
3 be secretary.

4 Section E. Irrespective of the civil service, personnel or other
5 merit system laws of any of the party states, the executive director
6 subject to the approval of the steering committee shall appoint, remove
7 or discharge such personnel as may be necessary for the performance of
8 the functions of the commission, and shall fix the duties and compensa-
9 tion of such personnel. The commission in its bylaws shall provide for
10 the personnel policies and programs of the commission.

11 Section F. The commission may borrow, accept or contract for the
12 services of personnel from any party jurisdiction, the United States, or
13 any subdivision or agency of the aforementioned governments, or from any
14 agency of two or more of the party jurisdictions or their subdivisions.

15 Section G. The commission may accept for any of its purposes and
16 functions under this compact any and all donations, and grants of money,
17 equipment, supplies, materials and services, conditional or otherwise,
18 from any state, the United States, or any other governmental agency, or
19 from any person, firm, association, foundation, or corporation, and may
20 receive, utilize and dispose of the same. Any donation or grant
21 accepted by the commission pursuant to this paragraph or services
22 borrowed pursuant to paragraph (f) of this article shall be reported in
23 the annual report of the commission. Such report shall include the
24 nature, amount and conditions, if any, of the donation, grant, or
25 services borrowed, and the identity of the donor or lender.

26 Section H. The commission may establish and maintain such facili-
27 ties as may be necessary for the transacting of its business. The
28 commission may acquire, hold, and convey real and personal property and
29 any interest therein.

1 Section I. The commission shall adopt bylaws for the conduct of
2 its business and shall have the power to amend and rescind these bylaws.
3 The commission shall publish its bylaws in convenient form and shall
4 file a copy thereof and a copy of any amendment thereto, with the
5 appropriate agency or officer in each of the party states.

6 Section J. The commission annually shall make to the governor and
7 legislature of each party state a report covering the activities of the
8 commission for the preceding year. The commission may make such
9 additional reports as it may deem desirable.

10 ARTICLE III. POWERS.

11 In addition to authority conferred on the commission by other
12 provisions of the compact, the commission shall have authority to:

13 (1) collect, correlate, analyze and interpret information and
14 data concerning educational needs and resources;

15 (2) encourage and foster research in all aspects of educa-
16 tion, but with special reference to the desirable scope of instruction,
17 organization, administration, and instructional methods and standards
18 employed or suitable for employment in public educational systems;

19 (3) develop methods for adequate financing of education as a
20 whole and at each of its may levels;

21 (4) conduct or participate in research of the types referred
22 to in this article in any instance where the commission finds that such
23 research is necessary for the advancement of the purposes and policies
24 of this compact, utilizing fully the resources of national associations,
25 regional compact organizations for higher education, and other agencies
26 and institutions, both public and private;

27 (5) formulate suggested policies and plans for the improve-
28 ment of public education as a whole, or for any segment thereof, and
29 make recommendations with respect thereto available to the appropriate

1 governmental units, agencies and public officials;

2 (6) do such other things as may be necessary or incidental to
3 the administration of any of its authority or functions pursuant to this
4 compact.

5 ARTICLE IV. COOPERATION WITH FEDERAL GOVERNMENT.

6 Section A. If the laws of the United States specifically so
7 provide, or if administrative provision is made therefor within the
8 federal government, the United States may be represented on the com-
9 mission by not to exceed 10 representatives. Any such representative or
10 representatives of the United States shall be appointed and serve in
11 such manner as may be provided by or pursuant to federal law, and may be
12 drawn from any one or more branches of the federal government, but no
13 such representative shall have a vote on the commission.

14 Section B. The commission may provide information and make
15 recommendations to any executive or legislative agency or officer of the
16 federal government concerning the common educational policies of the
17 states, and may advise with any such agencies or officers concerning any
18 matter of mutual interest.

19 ARTICLE V. COMMITTEES.

20 Section A. To assist in the expeditious conduct of its business
21 when the full commission is not meeting, the commission shall have a
22 steering committee of 32 members which, subject to the provisions of
23 this compact and consistent with the policies of the commission, shall
24 be constituted and function as provided in the bylaws of the commission.
25 One-fourth of the membership of the steering committee shall consist of
26 governors, one-fourth shall consist of legislators, and the remainder
27 shall consist of other members of the commission. A federal representa-
28 tive on the commission may serve with the steering committee, but
29 without vote. The voting members of the steering committee shall serve

1 for terms of two years, except that members elected to the first
2 steering committee of the commission shall be elected as follows: 16 for
3 one year and 16 for two years. The chairman, vice chairman, and
4 treasurer of the commission shall be members of the steering committee
5 and, anything in this paragraph to the contrary notwithstanding, shall
6 serve during their continuance in these offices. Vacancies in the
7 steering committee shall not affect its authority to act, but the
8 commission at its next regularly ensuing meeting following the occur-
9 rence of any vacancy shall fill it for the unexpired term. No person
10 shall serve more than two terms as a member of the steering committee;
11 provided that service for a partial term of one year or less shall not
12 be counted toward the two term limitation.

13 Section B. The commission may establish advisory and technical
14 committees composed of state, local and federal officials, and private
15 persons to advise it with respect to any one or more of its functions.
16 Any advisory or technical committee may, on request of the states
17 concerned, be established to consider any matter of special concern to
18 two or more of the party states.

19 Section C. The commission may establish such additional committees
20 as its bylaws may provide.

21 ARTICLE VI. FINANCE.

22 Section A. The commission shall advise the governor or designated
23 officer or officers of each party state of its budget and estimated
24 expenditures for such period as may be required by the laws of that
25 party state. Each of the commission's budgets of estimated expenditures
26 shall contain specific recommendations of the amount or amounts to be
27 appropriated by each of the party states.

28 Section B. The total amount of appropriation requests under any
29 budget shall be apportioned among the party states as follows: one-third

1 in equal shares; and the remainder in proportion to the population of
2 each party state as shown in the most recent decennial census of popula-
3 tion taken by the United States Bureau of the Census, or any agency
4 successor thereto.

5 Section C. The commission shall not pledge the credit of any party
6 state. The commission may meet any of its obligations in whole or in
7 part with funds available to it pursuant to article II(g) of this com-
8 pact, provided that the commission takes specific action setting aside
9 such funds prior to incurring an obligation to be met in whole or in
10 part in such manner. Except where the commission makes use of funds
11 available to it pursuant to article II(g) thereof, the commission shall
12 not incur any obligation prior to the allotment of funds by the party
13 states adequate to meet the same.

14 Section D. The commission shall keep accurate accounts of all
15 receipts and disbursements. The receipts and disbursements of the
16 commission shall be subject to the audit and accounting procedures
17 established by its bylaws. However, all receipts and disbursement of
18 funds handled by the commission shall be audited yearly by a qualified
19 public accountant, and the report of the audit shall be included in and
20 become part of the annual reports of the commission.

21 Section E. The accounts of the commission shall be open at any
22 reasonable time for inspection by duly constituted officers of the party
23 states and by any persons authorized by the commission.

24 Section F. Nothing contained herein shall be construed to prevent
25 commission compliance with laws relating to audit or inspection of
26 accounts by or on behalf of any government contributing to the support
27 of the commission.

28 ARTICLE VII. ELIGIBLE PARTIES: ENTRY INTO AND WITHDRAWAL.

29 Section A. This compact shall have as eligible parties all states,

1 territories, and possessions of the United States, the District of
2 Columbia, and the Commonwealth of Puerto Rico. In respect of any such
3 jurisdiction not having a governor, the term "governor," as used in this
4 compact, shall mean the closest equivalent official of such jurisdic-
5 tion.

6 Section B. Any state or other eligible jurisdiction may enter into
7 this compact and it shall become binding thereon when it has adopted the
8 same; provided that in order to enter into initial effect, adoption by
9 at least 10 eligible party jurisdictions shall be required.

10 Section C. Any party state or jurisdiction may withdraw from this
11 compact by enacting a statute repealing the same, but no such withdrawal
12 shall take effect until one year after the governor of the withdrawing
13 state or other jurisdiction has given notice in writing of the with-
14 drawal to the governors of all other party states and jurisdictions. No
15 withdrawal shall affect any liability already incurred by or chargeable
16 to a party state or jurisdiction prior to the time of such withdrawal.

17 ARTICLE VIII. CONSTRUCTION AND SEVERABILITY.

18 This compact shall be liberally construed so as to effectuate the
19 purposes thereof. The provisions of this compact shall be severable and
20 if any phrase, clause, sentence or provision of this compact is declared
21 to be contrary to the constitution of any state or of the United States,
22 or the applicability thereof to any government, agency, person or
23 circumstance is held invalid, the validity of the remainder of this
24 compact and the applicability thereof to any government, agency, person,
25 or circumstance shall not be affected thereby. If this compact shall be
26 held contrary to the constitution of any state participating therein,
27 the compact shall remain in full force and effect as to the state
28 affected as to all severable matters.

29 ARTICLE IX. STATE DEFINED.

1 As used in this compact, "state," means a state, territory, or
2 possession of the United States, the District of Columbia or the
3 Commonwealth of Puerto Rico.

4 Sec. 14.40.720. MEMBERS OF THE COMMISSION. (a) One of the com-
5 mission members shall be the governor; one shall be the state commis-
6 sioner of education; two shall be members of the state legislature
7 selected by its respective houses and serving in the manner the legis-
8 lature may determine; one shall be the president of the state Board of
9 Education; and two shall be appointed at large by and serve at the
10 pleasure of the governor.

11 (b) The terms of office of the at-large members shall be four
12 years; however, the first members shall be appointed as follows: one for
13 two years, and one for four years. Each member shall hold office until
14 his successor is appointed and qualified.

15 (c) The legislative and at-large members of the commission serve
16 without compensation but are entitled to per diem and travel expenses
17 provided by law for other state boards and commissions.

18 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
19 070(c).

COMMITTEE REPORT
SENATE

3/13/80

FURTHER: Finance

Date: 3-17-80

Mr. President:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SB 522 enacting and entering into the Compact for Education and designating the members of the Education Commission

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Collette do pass & amend.

John Jackman

CHAIRMAN

SB 522

Our Copy

Introduced: 3/13/80
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 522

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act enacting and entering into the Compact for
7 Education and designating the members of the Education
8 Commission; and providing for an effective date."

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

10 * Section 1. AS 14.40 is amended by adding new sections to read:

11 ARTICLE 8. COMPACT FOR EDUCATION.

12 Sec. 14.40.700. Entry into Compact. The Compact for Education is
13 enacted into law and entered into in behalf of the State of Alaska with
14 all other states and jurisdictions legally joining in it in a form
15 substantially as contained in AS 14.40.710.

16 Sec. 14.40.710. TERMS AND PROVISIONS OF COMPACT. The terms and
17 provisions of the compact referred to in AS 14.40.700 are as follows:

18 COMPACT FOR EDUCATION.

19 ARTICLE I. PURPOSE AND POLICY.

20 Section A. It is the purpose of this compact to:

- 21 (1) establish and maintain close cooperation and understand-
- 22 ing among executive, legislative, professional educational and lay
- 23 leadership on a nationwide basis at the state and local levels;
- 24 (2) provide a forum for the discussion, development, crystal-
- 25 lization and recommendation of public policy alternatives in the field
- 26 of education;
- 27 (3) provide a clearinghouse of information on matters
- 28 relating to educational problems and how they are being met in different
- 29 places throughout the nation, so that the executive and legislative

1 branches of state government and of local communities may have ready
2 access to the experience and record of the entire country, and so that
3 both lay and professional groups in the field of education may have
4 additional avenues for the sharing of experience and the interchange of
5 ideas in the formation of public policy in education;

6 (4) facilitate the improvement of state and local educational
7 systems so that all of them will be able to meet adequate and desirable
8 goals in a society which requires continuous qualitative and quantita-
9 tive advance in educational opportunities, methods and facilities.

10 Section B. It is the policy of this compact to encourage and
11 promote local and state initiative in the development, maintenance,
12 improvement and administration of educational systems and institutions
13 in a manner which will accord with the needs and advantages of diversity
14 among localities and states.

15 Section C. The party states recognize that each of them has an
16 interest in the quality and quantity of education furnished in each of
17 the other states, as well as in the excellence of its own educational
18 systems and institutions, because of the highly mobile character of
19 individuals within the nation, and because the products and services
20 contributing to the health, welfare and economic advancement of each
21 state are supplied in significant part by persons educated in other
22 states.

23 ARTICLE II. THE COMMISSION.

24 Section A. The Education Commission of the States, hereinafter
25 called "the commission," is hereby established. The commission shall
26 consist of seven members representing each party state. In addition to
27 any other principles or requirements which a state may establish for the
28 appointment and service of its members of the commission, the guiding
29 principle for the composition of the membership on the commission from

1 each party state shall be that the members representing such state
2 shall, by virtue of their training, experience, knowledge or affili-
3 ations be in a position collectively to reflect broadly the interests of
4 the state government, higher education, the state education system,
5 local education and lay and professional public and nonpublic educa-
6 tional leadership. In addition to the members of the commission
7 representing the party states, there may be not to exceed 10 nonvoting
8 commissioners selected by the steering committee for terms of one year.
9 Such commissioners shall represent leading national organizations of
10 professional educators or persons concerned with educational adminis-
11 tration.

12 Section B. The members of the commission shall be entitled to one
13 vote each on the commission. No action of the commission shall be bind-
14 ing unless taken at a meeting at which a majority of the total number of
15 votes on the commission are cast in favor thereof. Action of the com-
16 mission shall be only at a meeting at which a majority of the commis-
17 sioners are present. The commission shall meet at least once a year.
18 In its bylaws, and subject to such directions and limitations as may be
19 contained therein, the commission may delegate the exercise of any of
20 its powers to the steering committee or the executive director, except
21 for the power to approve budgets or requests for appropriations, the
22 power to make policy recommendations pursuant to Article III and
23 adoption of the annual report pursuant to Article II (j).

24 Section C. The commission shall have a seal.

25 Section D. The commission shall elect annually, from among its
26 members, a chairman, who shall be a governor, a vice chairman and a
27 treasurer. The commission shall provide for the appointment of an
28 executive director. Such executive director shall serve at the pleasure
29 of the commission, and together with the treasurer and such other

1 personnel as the commission may deem appropriate shall be bonded in such
2 amount as the commission shall determine. The executive director shall
3 be secretary.

4 Section E. Irrespective of the civil service, personnel or other
5 merit system laws of any of the party states, the executive director
6 subject to the approval of the steering committee shall appoint, remove
7 or discharge such personnel as may be necessary for the performance of
8 the functions of the commission, and shall fix the duties and compensa-
9 tion of such personnel. The commission in its bylaws shall provide for
10 the personnel policies and programs of the commission.

11 Section F. The commission may borrow, accept or contract for the
12 services of personnel from any party jurisdiction, the United States, or
13 any subdivision or agency of the aforementioned governments, or from any
14 agency of two or more of the party jurisdictions or their subdivisions.

15 Section G. The commission may accept for any of its purposes and
16 functions under this compact any and all donations, and grants of money,
17 equipment, supplies, materials and services, conditional or otherwise,
18 from any state, the United States, or any other governmental agency, or
19 from any person, firm, association, foundation, or corporation, and may
20 receive, utilize and dispose of the same. Any donation or grant
21 accepted by the commission pursuant to this paragraph or services
22 borrowed pursuant to paragraph (f) of this article shall be reported in
23 the annual report of the commission. Such report shall include the
24 nature, amount and conditions, if any, of the donation, grant, or
25 services borrowed, and the identity of the donor or lender.

26 Section H. The commission may establish and maintain such facili-
27 ties as may be necessary for the transacting of its business. The
28 commission may acquire, hold, and convey real and personal property and
29 any interest therein.

1 Section I. The commission shall adopt bylaws for the conduct of
2 its business and shall have the power to amend and rescind these bylaws.
3 The commission shall publish its bylaws in convenient form and shall
4 file a copy thereof and a copy of any amendment thereto, with the
5 appropriate agency or officer in each of the party states.

6 Section J. The commission annually shall make to the governor and
7 legislature of each party state a report covering the activities of the
8 commission for the preceding year. The commission may make such
9 additional reports as it may deem desirable.

10 ARTICLE III. POWERS.

11 In addition to authority conferred on the commission by other
12 provisions of the compact, the commission shall have authority to:

13 (1) collect, correlate, analyze and interpret information and
14 data concerning educational needs and resources;

15 (2) encourage and foster research in all aspects of educa-
16 tion, but with special reference to the desirable scope of instruction,
17 organization, administration, and instructional methods and standards
18 employed or suitable for employment in public educational systems;

19 (3) develop methods for adequate financing of education as a
20 whole and at each of its may levels;

21 (4) conduct or participate in research of the types referred
22 to in this article in any instance where the commission finds that such
23 research is necessary for the advancement of the purposes and policies
24 of this compact, utilizing fully the resources of national associations,
25 regional compact organizations for higher education, and other agencies
26 and institutions, both public and private;

27 (5) formulate suggested policies and plans for the improve-
28 ment of public education as a whole, or for any segment thereof, and
29 make recommendations with respect thereto available to the appropriate

1 governmental units, agencies and public officials;

2 (6) do such other things as may be necessary or incidental to
3 the administration of any of its authority or functions pursuant to this
4 compact.

5 ARTICLE IV. COOPERATION WITH FEDERAL GOVERNMENT.

6 Section A. If the laws of the United States specifically so
7 provide, or if administrative provision is made therefor within the
8 federal government, the United States may be represented on the com-
9 mission by not to exceed 10 representatives. Any such representative or
10 representatives of the United States shall be appointed and serve in
11 such manner as may be provided by or pursuant to federal law, and may be
12 drawn from any one or more branches of the federal government, but no
13 such representative shall have a vote on the commission.

14 Section B. The commission may provide information and make
15 recommendations to any executive or legislative agency or officer of the
16 federal government concerning the common educational policies of the
17 states, and may advise with any such agencies or officers concerning any
18 matter of mutual interest.

19 ARTICLE V. COMMITTEES.

20 Section A. To assist in the expeditious conduct of its business
21 when the full commission is not meeting, the commission shall have a
22 steering committee of 32 members which, subject to the provisions of
23 this compact and consistent with the policies of the commission, shall
24 be constituted and function as provided in the bylaws of the commission.
25 One-fourth of the membership of the steering committee shall consist of
26 governors, one-fourth shall consist of legislators, and the remainder
27 shall consist of other members of the commission. A federal representa-
28 tive on the commission may serve with the steering committee, but
29 without vote. The voting members of the steering committee shall serve

1 for terms of two years, except that members elected to the first
2 steering committee of the commission shall be elected as follows: 16 for
3 one year and 16 for two years. The chairman, vice chairman, and
4 treasurer of the commission shall be members of the steering committee
5 and, anything in this paragraph to the contrary notwithstanding, shall
6 serve during their continuance in these offices. Vacancies in the
7 steering committee shall not affect its authority to act, but the
8 commission at its next regularly ensuing meeting following the occur-
9 rence of any vacancy shall fill it for the unexpired term. No person
10 shall serve more than two terms as a member of the steering committee;
11 provided that service for a partial term of one year or less shall not
12 be counted toward the two term limitation.

13 Section B. The commission may establish advisory and technical
14 committees composed of state, local and federal officials, and private
15 persons to advise it with respect to any one or more of its functions.
16 Any advisory or technical committee may, on request of the states
17 concerned, be established to consider any matter of special concern to
18 two or more of the party states.

19 Section C. The commission may establish such additional committees
20 as its bylaws may provide.

21 ARTICLE VI. FINANCE,

22 Section A. The commission shall advise the governor or designated
23 officer or officers of each party state of its budget and estimated
24 expenditures for such period as may be required by the laws of that
25 party state. Each of the commission's budgets of estimated expenditures
26 shall contain specific recommendations of the amount or amounts to be
27 appropriated by each of the party states.

28 Section B. The total amount of appropriation requests under any
29 budget shall be apportioned among the party states as follows: one-third

1 in equal shares; and the remainder in proportion to the population of
2 each party state as shown in the most recent decennial census of popula-
3 tion taken by the United States Bureau of the Census, or any agency
4 successor thereto.

5 Section C. The commission shall not pledge the credit of any party
6 state. The commission may meet any of its obligations in whole or in
7 part with funds available to it pursuant to article II(g) of this com-
8 pact, provided that the commission takes specific action setting aside
9 such funds prior to incurring an obligation to be met in whole or in
10 part in such manner. Except where the commission makes use of funds
11 available to it pursuant to article II(g) thereof, the commission shall
12 not incur any obligation prior to the allotment of funds by the party
13 states adequate to meet the same.

14 Section D. The commission shall keep accurate accounts of all
15 receipts and disbursements. The receipts and disbursements of the
16 commission shall be subject to the audit and accounting procedures
17 established by its bylaws. However, all receipts and disbursement of
18 funds handled by the commission shall be audited yearly by a qualified
19 public accountant, and the report of the audit shall be included in and
20 become part of the annual reports of the commission.

21 Section E. The accounts of the commission shall be open at any
22 reasonable time for inspection by duly constituted officers of the party
23 states and by any persons authorized by the commission.

24 Section F. Nothing contained herein shall be construed to prevent
25 commission compliance with laws relating to audit or inspection of
26 accounts by or on behalf of any government contributing to the support
27 of the commission.

28 ARTICLE VII. ELIGIBLE PARTIES: ENTRY INTO AND WITHDRAWAL.

29 Section A. This compact shall have as eligible parties all states,

1 territories, and possessions of the United States, the District of
2 Columbia, and the Commonwealth of Puerto Rico. In respect of any such
3 jurisdiction not having a governor, the term "governor," as used in this
4 compact, shall mean the closest equivalent official of such jurisdic-
5 tion.

6 Section B. Any state or other eligible jurisdiction may enter into
7 this compact and it shall become binding thereon when it has adopted the
8 same; provided that in order to enter into initial effect, adoption by
9 at least 10 eligible party jurisdictions shall be required.

10 Section C. Any part, state or jurisdiction may withdraw from this
11 compact by enacting a statute repealing the same, but no such withdrawai
12 shall take effect until one year after the governor of the withdrawing
13 state or other jurisdiction has given notice in writing of the with-
14 drawal to the governors of all other party states and jurisdictions. No
15 withdrawal shall affect any liability already incurred by or chargeable
16 to a party state or jurisdiction prior to the time of such withdrawal.

17 ARTICLE VIII. CONSTRUCTION AND SEVERABILITY.

18 This compact shall be liberally construed so as to effectuate the
19 purposes thereof. The provisions of this compact shall be severable and
20 if any phrase, clause, sentence or provision of this compact is declared
21 to be contrary to the constitution of any state or of the United States,
22 or the applicability thereof to any government, agency, person or
23 circumstance is held invalid, the validity of the remainder of this
24 compact and the applicability thereof to any government, agency, person,
25 or circumstance shall not be affected thereby. If this compact shall be
26 held contrary to the constitution of any state participating therein,
27 the compact shall remain in full force and effect as to the state
28 affected as to all severable matters.

29 ARTICLE IX. STATE DEFINED.

1 As used in this compact, "state," means a state, territory, or
2 possession of the United States, the District of Columbia or the
3 Commonwealth of Puerto Rico.

4 Sec. 14.40.720. MEMBERS OF THE COMMISSION. (a) One of the com-
5 mission members shall be the governor; one shall be the state commis-
6 sioner of education; two shall be members of the state legislature
7 selected by its respective houses and serving in the manner the legis-
8 lature may determine; one shall be the president of the state Board of
9 Education; and two shall be appointed at large by and serve at the
10 pleasure of the governor.

11 (b) The terms of office of the at-large members shall be four
12 years; however, the first members shall be appointed as follows: one for
13 two years, and one for four years. Each member shall hold office until
14 his successor is appointed and qualified.

15 (c) The legislative and at-large members of the commission serve
16 without compensation but are entitled to per diem and travel expenses
17 provided by law for other state boards and commissions.

18 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
19 070(c).

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100
DEPARTMENT Health, Ed. & SS Committee
ATTENTION Senator Mackey Chairman

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks: Prime Sponsor

FROM:
MAIL STATION NUMBER 0500
DEPARTMENT Education
BY Luene Boudy DATE 4-4

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-522
 Title An Act relating to the Compact for Education
 Requested by Senate HESS Date 3/18/80

II. FISCAL DETAIL

Agency Affected Education
 Program Category Affected Elementary and Secondary Education
 BRU, Program, or Sub-program(s) Affected Office of the Commissioner

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		18.5	18.5	18.5	18.5	18.5
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		18.5	18.5	18.5	18.5	18.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

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

Cost related to membership dues, not adjusted for inflation.

IV. DATE 3/18/80 PREPARED BY William D. Hansen
 AGENCY Education
 PHONE 465-2800
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-522
 Title An Act relating to the Compact for Education
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 BRU, Program, or Subprogram(s) Affected Office of the Commissioner

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
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200 TRAVEL						
300 CONTRACTUAL		18.5	18.5	18.5	18.5	18.5
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		18.5	18.5	18.5	18.5	18.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

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

Cost related to membership dues, not adjusted for inflation.

IV. DATE 3/18/80 PREPARED BY William D. Thomas
 AGENCY Education
 Original: Legislative Finance PHONE 465-2800
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-522
 Title An Act relating to the Compact for Education
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 BRU, Program, or Subprogram(s) Affected Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
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200 TRAVEL						
300 CONTRACTUAL		18.5	18.5	18.5	18.5	18.5
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		18.5	18.5	18.5	18.5	18.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

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

Cost related to membership dues, not adjusted for inflation.

IV. DATE 3/18/80 PREPARED BY William A. Thomas
 AGENCY Education
 PHONE 465-2800
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Legis can do what they
want with any
appointed except Gov
Per Sten Hale 3/18/80

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB-522
 Title An Act relating to the Compact for Education
 Requested by Senate HESS Date 3/18/80

II. FISCAL DETAIL

Agency Affected Education
 Program Category Affected Elementary and Secondary Education
 BRU, Program, or Subprogram(s) Affected Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		18.5	18.5	18.5	18.5	18.5
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		18.5	18.5	18.5	18.5	18.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

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

Cost related to membership dues, not adjusted for inflation.

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SB

5411

SB 541
By HBS

"An Act relating to proposed HRS 19-580
concerning child labor regulations
with the addition of inspecting provisions
and providing for effective date."

HSS notified

Introduced 4-3-80

Logged 4-3-80

Referrals - none

Comm. hearing 4-9-80

" action passed 2den & passed Secy 4-10-80 8:45am.

SENATE BILL NO. 341, by the HEALTH, EDUCATION AND SOCIAL SERVICES Committee. Relates to professional licensing and to the regulation of the practice of dispensing opticians. Adds new sections to AS 08.71 (Dispensing Opticians) relating to the removal of board members (states that a member may be removed by the governor for cause, and that the board may by regulation provide that unexcused absences constitutes cause for removal); powers and duties of the board, stating that the board may examine and issue licenses to applicants, renew licenses, hold hearings and order disciplinary sanctions, supply forms, keep records and enforce provisions and adopt or amend regulations. New section added relating to licensure by credentials, stating that a person with a valid license from another state, territory, district or possession of the United States shall be issued a license without examination for those areas in which he is licensed upon payment of fees. Adds new section relating to contact lenses, stating that lenses may be dispensed only upon the written contact lens prescription of a licensed physician

or optometrist, except duplicate contacts may be dispensed under an original prescription. States patient shall be instructed to return for inspection of fit of lenses. New definitions added for "dispensing optician" and "supervision" (of work being performed). Amendments made relating to membership of the board and term of office, stating that the board consists of four opticians and one public member (now reads seven persons) who serve staggered terms of four years (now reads three), and states that a person who has served two successive complete terms may not be reappointed until four years from the expiration of the second term. Amends qualifications for examination by reducing the number of hours a practicing optician has in good standing from 10,000 hours to 6,000, and amends renewal fee for license from a biennial fee of \$50 to a fee every four years of \$200. Amends provisions relating to practicing without a license by stating that a person who violates section is guilty of a class B misdemeanor. Deletes employees working under the personal supervision of a licensed physician or optometrist from provisions relating to exemptions from and limitations on the application of the chapter. Repeals various sections including qualifications of board members (AS 08.71.030); Board regulations (AS 08.71.050); Record of proceedings (08.71.060); Applicability of Administrative Procedure Act (AS 08.71.070); Contact lenses (AS 08.71.200) and definitions of "dispensing opticians" (AS 08.71.240(3)). Repeals and re-enacts sections relating to Grounds for revocation, suspension or denial of license to read "Imposition of disciplinary sanctions" and adds new language throughout relating to securing a license through deceit, fraud or intentional misrepresentation; advertising in a false or misleading manner, conviction of a crime, negligence practicing after becoming unfit and engaging in lewd or immoral conduct. Repeals and re-enacts Limitations or conditions on license; discipline (AS 08.71.175) to read: "Disciplinary Sanction" and adds new language throughout relating to permanent revocation of license, suspension, censure, reprimand, probationary status and imposition of limitations. Also addresses reinstatement. Provides Act takes effect immediately.

Introduced April 3 and referred to HESS.

Introduced: 4/3/80
Referred: Health, Education &
Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 541

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to professional licensing and to the
7 regulation of the practice of dispensing opticians; and
8 providing for an effective date."

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

10 * Section 1. AS 08.01.100(a) is amended to read:

11 (a) Except as otherwise provided in this title, [ALL] licenses
12 shall be renewed biennially on the dates set by the department with the
13 approval of the respective board.

14 * Sec. 2. AS 08.71.020 is amended to read:

15 Sec. 08.71.020. MEMBERSHIP [OF BOARD; SOURCE OF APPOINTMENT;] AND
16 TERM OF OFFICE. The board consists of four opticians licensed under
17 AS 08.71.080 and one public member [SEVEN PERSONS] appointed by the
18 governor. Members serve staggered terms of four [THREE] years which [.
19 THE TERMS OF THE PUBLIC MEMBERS OF THE BOARD] shall be set so that they
20 do not expire at the same time. Vacancies on the board shall be filled
21 for the unexpired term. A person who has served two successive complete
22 terms may not be reappointed until four years from the exp. tion of the
23 second term.

24 * Sec. 3. AS 08.71 is amended by adding new sections to read:

25 Sec. 08.71.045. REMOVAL OF BOARD MEMBERS. A member of the board
26 may be removed from office by the governor for cause. The board may by
27 regulation provide that unexcused absences from meetings constitute
28 cause for removal.

29 Sec. 08.71.055. POWERS AND DUTIES. The board shall have the

1 following powers and duties:

2 (1) to examine and issue licenses to applicants;

3 (2) to renew licenses;

4 (3) to hold hearings and order disciplinary sanctions against
5 a person who violates this chapter or the regulations of the board;

6 (4) to supply forms for applications, licenses, and other
7 needed documents;

8 (5) to keep a record of all proceedings open to the public,
9 including the name of each applicant for examination and each licensee;

10 (6) to enforce the provisions of this chapter and adopt or
11 amend regulations necessary to make these provisions effective.

12 * Sec. 4. AS 08.71.110(1)(B) is amended to read:

13 (B) been engaged for at least 6,000 [10,000] hours as a
14 practicing optician in good standing in a state, territory,
15 district or possession of the United States; and

16 * Sec. 5. AS 08.71.120(3) is amended to read:

17 (3) [BIENNIAL] renewal fee,
18 due every four years 200 [50]

19 * Sec. 6. AS 08.71.130(a) is amended to read:

20 (a) A licensed dispensing optician shall renew his license every
21 four years [BIENNIALY] with the department [DEPARTMENT OF COMMERCE] on
22 or before the date set by the department under AS 08.01.100.

23 * Sec. 7. AS 08.71 is amended by adding a new section to read:

24 Sec. 08.71.145. LICENSURE BY CREDENTIALS. A person with a valid
25 license as a dispensing optician from another state, territory, district
26 or possession of the United States shall be issued a license without
27 examination for those professional areas in which he is licensed upon
28 payment of any fee and documentation which the board may require by
29 regulation.

1 * Sec. 8. AS 08.71.160 is amended to read:

2 Sec. 08.71.160. DISPENSING OPTICIAN'S APPRENTICE. (a) A person
3 may be employed by a licensed dispensing optician as an apprentice. An
4 apprentice shall be designated as such in the records of the board at
5 the request of a licensed physician, optometrist or dispensing optician
6 and shall be in training and under the [DIRECT] supervision of a
7 licensed physician, optometrist or dispensing optician. No apprentice
8 may be employed under this section for longer than six years unless the
9 board determines that an apprentice is prevented by circumstances beyond
10 his control from obtaining a license as a dispensing optician within
11 that time.

12 (b) No more than two apprentices may be under the [DIRECT] super-
13 vision of one licensed dispensing optician at the same time.

14 * Sec. 9. AS 08.71.170 is repealed and re-enacted to read:

15 Sec. 08.71.170. IMPOSITION OF DISCIPLINARY SANCTIONS. The board
16 may revoke or suspend the license of a dispensing optician, or the
17 licensee may be reprimanded or otherwise disciplined when the board
18 finds after a hearing that he

19 (1) secured a license through deceit, fraud, or intentional
20 misrepresentation;

21 (2) engaged in deceit, fraud, or intentional misrepresent-
22 ation in the course of providing professional services or engaging in
23 professional activities;

24 (3) advertised professional services in a false or misleading
25 manner;

26 (4) has been convicted of a crime which affects his ability
27 to continue to practice competently and safely;

28 (5) intentionally or negligently engaged in or permitted the
29 performance of patient care by persons under his supervision which does

1 not conform to minimum professional standards regardless of whether
2 actual injury to the patient occurred;

3 (6) continued to practice after becoming unfit due to

4 (A) professional incompetence;

5 (B) failure to keep informed of or use current profes-
6 sional theories or practices;

7 (C) addiction or severe dependency on alcohol or other
8 drugs which impairs his ability to practice safely;

9 (D) physical or mental disability;

10 (7) engaged in lewd or immoral conduct in connection with the
11 delivery of professional service to patients;

12 (8) participated in the division, assignment, rebate or
13 refund of fees to a physician or optometrist in consideration of patient
14 referrals;

15 (9) advertised the services of any other segment of the
16 healing arts.

17 * Sec. 10. AS 08.71.175 is repealed and re-enacted to read:

18 Sec. 08.71.175. DISCIPLINARY SANCTIONS. (a) When it finds that a
19 dispensing optician is guilty of an offense under AS 08.71.170, the
20 board may impose the following sanctions singly or in combination:

21 (1) permanently revoke a dispensing optician's license to
22 practice,

23 (2) suspend a dispensing optician's license for a determinate
24 period of time;

25 (3) censure a dispensing optician;

26 (4) issue a letter of reprimand;

27 (5) place a dispensing optician on probationary status and
28 require him to

29 (A) report regularly to the board upon matters involving