

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7281 HOUSE STATE AFFAIRS

David D Williams
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KUSKOKWIM CAMPUS
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amount is strangely close to the \$325,000 which the Chancellor sought to take from the Kuskokwim budget during the previous spring semester.

What the above amounts to is a reallocation of Kuskokwim's resources to cover the needs of the larger campus. While we had already been compelled to cover our own increased costs in personnel, utilities, etc. from our own budget, we were further compelled to release our money to cover the costs of other units within UAF. No effort was made to contact Kuskokwim on what its fixed costs needs were relative to the above.

We are now involved in a program review/strategic planning process which seeks to make further inroads into the Kuskokwim budget. To date the Kuskokwim Campus is slated to be impacted as follows:

Description	Amount	Comments
Assistant Director	\$70,000	This position can best be described as that of the campus operations officer responsible for overseeing the day-in-day operations of the campus. The decision to delete this position is based upon the assumption that the present assistant director will become the next campus director. As the director's position is subject to affirmative action and equal employment opportunity regulations the present assistant director must follow the same procedures as any other applicant for the director's position and may not be selected. Staff and faculty at Kuskokwim played no role in approving this cut and would prefer to be involved in any process which threatens to delete positions.
Community Education	\$100,000	This means the deletion of two permanent positions and the operating budget for all non-credit instruction. In FY '91 there were over 1,300 participants in the campus' community education programs and it continues to be one of the most needed programs on the Yukon-Kuskokwim Delta. The deletion is based upon the assumption that all community education should be totally self supporting. This is not realistic as there is a need for someone to respond to public requests, schedule events, hire or arrange for instructional personnel, and assure program quality. A fee is charged for each event and to date Community Education has collected over \$11,000 of its operating budget of \$13,800, however, this is not enough to cover personnel costs. No thought was given to where regional, state, and federal agencies would go for short-term vocational and informational training if the program was deleted. The fact that a majority of rural Alaskans are not interested in credits or degrees when they want to know how to write a grant or start a small business was ignored. The need for someone to coordinate the use of the future cultural center was not even considered. The decision was based entirely on the fact that community education does not generate college credits and that the Kuskokwim Campus is the only campus which maintains this type of effort. There was no support for this decision which effectively eliminates the community college mission on the part of the campus' council, faculty, or staff.

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Statewide Community Health Aide
program coordinator

\$70,000 Position to be deleted at Fairbanks with responsibility for the program to be moved to Kuskokwim with no additional funding. While it might be a good idea to place the CHAT coordinator position in rural Alaska for the purpose of better understanding rural health needs, the assumption that the present coordinator of the Kuskokwim CHAT program, the largest in the state, can assume statewide responsibilities is erroneous. Those involved in recommending the deletion of the position are looking at it from a very limited academic viewpoint which sees the position as one which deals solely with the approval of courses, instructors, and the monitoring of the curriculum. Not taken into account is the fact that the coordinator must work with five different training centers, scattered throughout the state, and twelve different regional health corporations. Each center and each corporation sees its role and needs somewhat differently. It is the responsibility of the coordinator to try to address these diverse needs and respond in a manner which promotes strong university involvement and support. This is a full-time position in its own right and cannot be added to the responsibilities of an existing full-time position simply because UAF has a desire to save money.

During the 1987 restructure of the university, care was taken by the legislature to recognize the fragility of the smaller campuses and to assure that the community college mission would not be lost. It was recognized that there would be a tendency for the larger campuses to seek to reallocate funds to cover the needs of the urban campus. In order to prevent this natural tendency on the part of the larger institution the legislature appropriated separate allocations for each campus. Two years ago the university sought and got one allocation for the entire system, supposedly to allow greater financial flexibility in dealing with upcoming decrements. This was interpreted by both the university's statewide office and UAF to mean that the original legislative intent to protect the mission of the rural campuses was no longer valid and that the internal reallocation of funds within each of the three universities was their prerogative. This has taken place and will continue to take place unless the legislature puts a halt to it.

A great deal of time and effort has been put into stating support for rural and Native Alaskans and their need for educational opportunities and services, however, in the case of UAF this means programs on the campus in Fairbanks as it is evident that the role of the rural campuses is neither understood nor appreciated. It is almost as if the only Native Alaskans they are interested in are those Ph.D.'s doing global research, unfortunately there aren't any.

The Kuskokwim Campus is well aware of the condition of Alaska's finances and the fact that some budget cutting may be necessary. This is a fact of life which cannot be avoided, however, these cuts should be determined at the campus level with input from the regional community and the monies should not be going to the larger campus to cover obligations over which the Kuskokwim Campus has no say. As of this writing Kuskokwim is the primary campus affected, however, as state monies get tighter, there is no doubt in my mind that other rural campuses will be affected. At UAF actions speak louder than words.

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We would like to meet with you in the very near future to discuss what appears to us to be a direct violation of legislative intent on the part of the University of Alaska Fairbanks and alternatives which may be taken to correct this problem.

Respectfully,



David D Williams

February 6, 1992.

TO: Faculty

FROM: David Williams 

SUBJECT: Effect upon non-academic areas of the campus by affiliation with UAF

As per the request of the FOC I have gone back to the documents provided by various support functions for the program review for the purpose of gleaning some of the problems we are having with UAF. We did not itemize each instance of a problem, however, the following have been continuous despite promises on the part of UAF for improvement.

In addition to what follows I think it should be understood that we often suffer from a lack of information. Policies and procedures change and documents which must be on hand for the completion of reports often do not arrive on this campus until well after we have violated or misinterpreted something. It is this general feeling of being the last to know that provides the staff with the feeling that like the faculty, they are second class.

Distance Education

As the CRA audio conference program continues to grow we are counted on more and more to assist students from other regions into our classes. We also spend more time registering our students into other region classes and programs. Because KuC has X-CED and Rural Ed. faculty on campus we, for the most part, have little difficulty assisting those programs. However we have difficulty assisting our students who request advising and admission information into UAF Ed. Master and Graduate study programs. At this time, the Fairbanks office that provides these programs continues to work independently from us. They expect us to register students into the state-wide graduate audio conference classes but they do not provide us with a list of officially enrolled students nor information on what advisors students are assigned. Students are frustrated because when they call Fairbanks they cannot reach their advisors and do not receive the attention they need.

The Fairbanks education program does not provide us with updated information regarding their program nor do they provide us with a list of the students from the YK Delta entered into their program. We had hoped that through the restructuring effort we would work closer with the UAF upper division programs so that we could better serve the people of our region who require those services. This has not happened.

Admissions and Records

The present SIS system was purchased with the idea in mind that almost all admissions could and should be handled at the site closest to the student. When restructuring took place many of these responsibilities were assumed by the central A & R office in Fairbanks. The result has been a bottle neck at the regional campus level. It would be a savings to the university to allow, with proper training, the regional campuses to reassume the responsibilities lost during the restructure process.

Confusion is caused to the students during their initial admission process. Duplicate or unnecessary paperwork is sent by UAF to students inquiring to attend KuC. Entrance requirements are different, and students are not required to send in the same paperwork to KuC as are required by UAF. This often leaves them wondering about what to send to whom. Because of the regional location and willingness of KuC staff to work with new/incoming students it would be better to have only one channel through which to apply.

Business Office

Performance at regional campuses is often affected by the need to send certain documents to UAF for various types of purchasing, setting up grants, processing budget revisions, and payroll. This can become very time consuming especially when documents are put on the back burner because other needs are more pressing. Regional campuses should be able to determine the priority of their needs. Campuses do not need to wait as long as 4-5 months on services. A clear avenue, well defined, must be developed for meeting the needs of the central campus without sacrificing the needs of rural campuses.

Instructional Support

We turn away agencies and school districts who want to offer credit inservices, workshops, and courses to their employees, because we cannot respond quickly to their needs in the area of special topics course offerings. We no longer have the autonomy allowing us to approve and enter our own special topics courses on the SIS system; we had this autonomy before restructuring. This is an area where we could save money, time, and be more responsive to the needs of this area. Once approved on this campus it would take five minutes or less to enter a special topics course, opposed to the two or more weeks it takes UAF Admissions and Records to do the same task. Additional savings would come from saving money on regular or express mail postage to send the requests to UAF, long distance facsimiles, long distance telephone calls to CRA tracking the outline, and long distance telephone calls to Admissions & Records urging them to enter the course quickly, and not to mention the valuable time and energy that Kuskokwim Campus and the College of Rural Alaska.



UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive
Anchorage, Alaska 99508

COLLEGE OF CAREER AND VOCATIONAL EDUCATION
OFFICE OF THE DEAN

MEMORANDUM

February 5, 1991

TO: Department Chairperson
College of Career and Vocational Education

FM: Vern C. Oremus, Dean *Vern*
College of Career and Vocational Education

RE: FY93 Budget Decisions

In a recent conversation with one of you, I learned there is a growing level of anxiety on the part of some faculty and staff related to what I must do this Spring in realigning our budget for next year. As you recall, without a significant increase from the legislature, which we do not expect, I will be forced to make some changes related to our expenditures next year. In short, I must reduce our expenditures by nearly 200.0, hopefully in a way that has the least impact on students.

The deficit we find ourselves facing is not of our own making. Increasing costs without increasing budget, and reductions in operating funds systemwide are the primary problems. CCVE has not received any significant increase in budget in the four years we have been in existence. We have only gotten one new faculty position. The only increases we have received have been to partially offset salary and benefit increases. Vocational education also took a budget reduction last year that other units did not incur.

This year, to do our best in delivering service without adjusting faculty or staff contracts, I asked you to reduce course offerings by 26 sections, I placed a freeze on equipment purchases, I dramatically restricted our marketing efforts, I encouraged the taking of annual leave by all 12 month employees and I did not refill the one vacancy (Ron Demus) that occurred. These savings did not begin to approach the amount of our deficit. I was able to secure additional one-time-only funding from Academic Affairs to help us avoid a deficit and to give us time to plan for a reduction in expenditures next year.

Through our discussions in the Dean's Council, you know the details of this subject; however, I want to remind you that the time is rapidly approaching where I must make some hard decisions. To insure that faculty and staff who may be impacted by a realignment of resources have as much notice as possible, I plan to finalize next years plan by March 15.

We have discussed the options available to us this coming year. I do not expect that any of them will be met with enthusiasm, but without additional funding, they are necessary. Among the options we identified were the following (not in any priority order):

1. Reduce all faculty to 9 months.
2. Restore full workloads for all faculty.
3. Combine departments, reducing number of chairpersons.
4. Reduce offerings to degree required courses only.
5. Close aviation complex in the summer.
6. Reduce classified staff contracts to 9 months.
7. Reduce replacement equipment funds.
8. Eliminate all programs without full time faculty (Fire Sci., EMT, Floral D, Fashion M, etc.)

As you can see, none of the above options are going to be received in a positive way, but I must reduce costs, hopefully without reducing personnel or service to students.

The reason for this letter is to invite you to meet with me to discuss your views before I make decisions. I also invite you to provide me with written statements of impact or recommendations for additional ways to save money.

I hope each of you have shared the seriousness of our situation with your people. At the same time, I want to be certain the rumors of "impending doom" are put to rest. While there very well may be reductions in contract length next year, and most undoubtedly some sort of realignment that is more cost effective, I have no intention of cutting programs or laying off people.

Finally, I would like you to convey to your faculty and staff that these steps are not necessarily permanent. We have a fine group of dedicated faculty and staff just beginning a planning effort for CCVE. When the process is complete, we will be moving forward with implementing their recommendations. Our college may look completely different than it does now, or next year. It will definitely be more efficient, of higher quality and more focused.

**Status Report on
Community/Continuing Education
at University of Alaska Anchorage
February 1992**

Student fees for a typical community member who wants to take a 3 credit class have gone from \$28 in 1987 to \$42 today (not counting a \$25 parking fee). A community member who wants to take one credit class pays only \$12 less than a full time student. Part time students subsidize full time students; they pay the same for a parking sticker, the campus radio station, athletics, student activities, etc. - very little or none of which they use.

Part time students have the lowest priority for registration, virtually assuring them no chance for any required courses or popular community education courses such as EMT, Winter Emergency Care, or Aerobics.

A University budget committee, chaired by the Assistant to the Chancellor (Professor Steven Norell), recently recommended that the Adult Basic Education program, which serves 1000-1200 students annually, be cut. The ABE program currently has a waiting list in excess of 300 people. Of its approximate \$500,000 budget, four-fifths is from outside grants. It has ESL classes, Welfare Reform Act job training programs, GED, and adult basic education classes.

The on-campus EMT classes, perennially full, were recently cancelled (due to budget constraints) by the College of Career and Vocational Education. This is a clear cut example of a community education class being cancelled to save or increase graduate and degree courses. It is not budget constraints, but rather budget priorities, that are causing the cuts.

The Vice Chancellor for Student Services recently (December 1991) was quoted in the student newspaper as saying that due to budgetary constraints perhaps the open-admissions policy of the University needed to be reexamined. The Chancellor hinted at similar possibilities at a recent public hearing on campus.

The College of Community and Continuing Education (CCCE) will not be allocated additional faculty members (beyond their 6 jointly appointed ones), even if they can generate the funds to pay for them. This despite the fact that the governance of the University, and

Academic Affairs in particular, (of which CCCE is a part, increasingly a faculty prerogative.

The AAB consists of full time faculty from degree programs, with just 4 exceptions: 1) an adjunct instructor from a degree program, 2) a full time faculty member half from a degree program, half from a non-degree area, 3) a full time student, and a faculty member from Counseling. The AAB decides on course and program approval, what disciplines will be allowed and named, financial impacts, etc.

The AAB recommended stripping CCCE of its ability and right to bring forth curriculum directly to the AAB as do all other schools and colleges. This impacts such community education/non-degree programs as Women's Studies, Alaska Wilderness Studies, Physical Education & Recreation, and Alaska Native Studies.

CCCE took an extra \$110,000 budget reduction this year, above and beyond what any other college took.

Physical Education and Recreation, a part of CCCE, pays \$30,000-40,000 a year to rent its classroom, the Physical Education Facility (gym). The School of Education has their use budgeted for with hard (State) dollars. Even student clubs are given free use of the gym.

The head of CCCE, Associate Vice-Chancellor Bill McCaughan was recently fired. Claiming confidentiality of personnel matters, the University is supplying no details as to why he was fired.

The previous Associate Vice-Chancellor, Mim Carlson, was also fired. She has reportedly successfully sued the University for \$200,000.

Additional people to talk to:

Ralph McGrath, Professor, College of Arts & Sciences 786-1680

Bill McCaughan, ex-Associate Vice Chancellor, CCCE 346-2065

Gretchen Bersch, Professor, School of Education, 786-1319 or
278-1300 (hm)

Dave Dau, Professor, College of Arts & Sciences 786-1636

Attachments

- 1) AAB Memo of 10/11/91
- 2) Notes from Beeton's talk
- 3) Registration Priority
- 4) Response to Budget Committee Recommendations

(PAID ADVERTISEMENT)

YOU HAVE THE RIGHT TO KNOW I

1. STUDENTS HAVE THE RIGHT TO KNOW why tuition, activity fees and lab fees keep increasing at the University of Alaska.
2. STUDENTS HAVE THE RIGHT TO KNOW why too few sections of required classes are offered every semester at the University of Alaska.
3. STUDENTS HAVE THE RIGHT TO KNOW why so many important classes are either cancelled or changed to "self-support" (just another form of tuition increase) every semester at the University of Alaska.

PERHAPS IT'S BECAUSE...

1. THE UNIVERSITY OF ALASKA MISMANAGES ITS FUNDS. Over \$956,000 has been paid to external private attorneys who lose nearly every one of the University's cases! (See below).
2. THE UNIVERSITY OF ALASKA CONTINUES TO PAY THESE LAW FIRMS. One firm alone, Owens and Turner, has been paid over \$579,067.69!
3. THE UNIVERSITY OF ALASKA PAYS OUTSIDE FIRMS WHILE MAINTAINING INSIDE STAFF. While all these expenses have occurred, the University has also employed up to three staff attorneys and their clerical support teams!

READ THE UNIVERSITY'S OWN DOCUMENT FOR YOURSELF!

UNIVERSITY OF ALASKA RESTRUCTURING RELATED LEGAL FEES AND COSTS

Case Name	Vendor	FY-87	FY-88	FY-89	FY-90	FY-91	FY-92	TOTAL
Arbitration/Restructuring Grievance	Timothy Bernstein	0.00	4,414.00	0	8,720.00	21,532.00	0	34,666.00
Bornstein I (Reorganization Grievance)	Owens & Turner	34,334.48	2,011.12	0	0	0	0	36,345.60
Bornstein II (Rules/Parking Lot)	Owens & Turner	0	4,220.20	41,440.53	24,154.54	0	0	88,822.28
Bornstein III (Remedy)	Owens & Turner	0	0	0	47,836.77	152,972.57	6,100.43	207,909.77
Carlson v. UA	Ashburn & Mason	0	5,428.99	30,926.89	87,834.87	0	0	124,190.75
Carlson v. UA (Appeal)	Ashburn & Mason	0	0	0	148.25	5,882.24	0	6,030.49
Community College Coalition v. UA	Gross & Burns	40,823.47	67,814.04	12,866.39	780.12	0	0	122,284.02
Community College Coalition v. UA	Owens & Turner	51,267.58	29,297.72	8,122.52	3,567.42	0	0	92,255.24
Ketchikan School District v. UA	Gross & Burns	8,009.01	0	0	0	0	0	8,009.01
Kingry v. UAA	Baby & Mason	0	688.23	0.00	0	0	0	688.23
Mohr/McGrath v. UA	Owens & Turner	0	1,124.50	89,680.25	12,380.27	7,016.25	19,200.74	109,381.01
Morris, Libell and Pridem v. UA	Ashburn & Mason	0	218.75	15,971.01	11,009.50	0	0	27,199.26
Reorganization Disputes	Owens & Turner	0	0	3,811.84	0	0	0	3,811.84
Reorganization WPC	Owens & Turner	0	7,407.48	82.75	0	1,185.64	2,918.77	11,674.64
University of Alaska v. McAlone	Gross & Burns	0	24,576.75	10,072.61	0	0	0	34,649.36
University Reorganization	Owens & Turner	38,871.10	2,310.281	1,832.09	0	0	0	43,013.47
Zwundor v. UA	Gail Balou	0	8,054.00	11,140.35	6,822.40	8,561.68	4,712.89	39,281.32
Totals		174,045.61	179,844.76	204,021.23	173,939.24	187,282.18	33,929.83	866,842.81

WHAT DOES THIS MEAN TO YOU AND OTHER STUDENTS?

1. \$956,000 = 310 Classes denied to students!
2. \$956,000 = 19,000 library books not purchased!
3. \$956,000 = 15 new full-time faculty members not hired to teach students!

WE BELIEVE STUDENTS HAVE THE RIGHT TO KNOW HOW THE UNIVERSITY OF ALASKA IS MISMANAGING ITS MONEY!

WE BELIEVE THE UNIVERSITY SHOULD SPEND ITS MONEY FOR ADDITIONAL CLASSES, BOOKS AND FACULTY!

If you believe its time to change the way the University conducts its business, let them know.

THE ALASKA COMMUNITY COLLEGE PLAN: PROPOSED LEGISLATION 1992

PURPOSE:

The proposed legislation would establish a comprehensive, state-wide community college system capable of offering degree and non-degree programs of post secondary and continuing education.

GOVERNANCE:

The Alaska Community Colleges shall be governed by an independent Board of Governors. The Board shall be representative of the state's geographic boundaries and include a teacher and student. All meetings of the Board are open to the public as provided for by Alaska statute.

TRANSFER: PROPERTY AND FUNDS:

Under the direction of the Alaska Commission on Post secondary Education, the Board of Regents of the University of Alaska shall redistribute or transfer all the property, assets and state or federal funds of the University of Alaska relating to the operation, maintenance and support of the community colleges within the University to the Alaska Community Colleges.

DEFINITION OF ALASKA COMMUNITY COLLEGES:

Colleges means the Alaska Community Colleges, including but not limited to the individual community colleges, extension centers and community outreach programs established, operated and maintained by the Board of Governors.

COMPREHENSIVE COMMUNITY COLLEGES MISSION:

The comprehensive community college shall include flexible, versatile programs of post secondary instruction, counseling and advising, job placement and other activities designed to meet the needs of the local people it serves. This shall include:

A) Courses and curricula that lead to associate degrees, or that enable the student to transfer to a four-year institution of higher education in pursuit of a baccalaureate degree;

B) Occupational education including vocational-technical programs and cooperative education in conjunction with employment in business and industry that enables the student to develop technical skills in a chosen trade or occupation and lead either to a degree or a certificate of completion;

C) General education and public interest courses designed to meet the needs of a community, to enable a person to expand his or her knowledge, improve the quality of life, or acquire, change or update skills needs in today's Alaskan society;

D) Development of educational courses and programs as an outreach of the community colleges into rural Alaska, including off-campus student credit and non-credit courses that may lead to a certificate, associate, baccalaureate or advanced degree.

ALASKA COMMUNITY COLLEGES CENTRALIZED ADMINISTRATION:

The Chancellor shall serve as Executive Secretary of the Board of Governors and Chief Executive Officer of the Alaska Community Colleges. Primary responsibility of this position is the administration of community colleges and working with the principal administrative officer at each community college site. A central service organization of all the community colleges shall be established. Duplication of administrative services shall be eliminated within and between existing community colleges.

ALASKA COMMUNITY COLLEGES UNIT ADMINISTRATION:

The principal administrative officer at each community college is responsible to the chancellor and works closely with the local Community College Council which is representative of community needs and interests.

LOCAL COMMUNITY COLLEGE COUNCILS:

A local Community College Council, the majority of whose members shall be persons served by the programs developed at the local community college, shall be established. The Community College Council aids the principal administrative officer in setting policy for the local college which is consistent with the direction set by the Board of Governors.

RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY, FEDERAL AGENCY, NON-PROFIT CORPORATION:

A school district, municipality, federal agency or non-profit corporation or association may make an agreement with the Alaska Community Colleges for the establishment, operation and maintenance of community college, an extension center or off-campus instruction through an outreach program.

TRANSFERABILITY OF CREDITS:

The Alaska Commission of Post secondary Education would be the arbitrator in determining the transferability of student credits and courses between Alaska Community Colleges and the University of Alaska.

ACCREDITATION:

The Alaska Community Colleges would be accredited as a statewide unit.

MEMORANDUM

TO: Joan K. Wadlow, Chancellor
University of Alaska Fairbanks

FROM: Rural Campuses Committee.

Ralph Gabrielli

Ralph Gabrielli, Chair, Associate Dean, CRA
Oscar Alexie, Research Associate, Kuskokwim Campus
Nancy Ayagarak, Developmental Faculty, Kuskokwim Campus
Sophie Barnes, Research Associate, Kuskokwim Campus
Claudette Bradley, Asst. Professor, Interior Campus
Taylor Bresford, Assistant Professor, Bristol Bay Campus
Rhonda Curwen, VocTech Advisory Council, Fairbanks
Patrick Dubbs, Head, Rural Development, Fairbanks
Larry Duffy, Associate Professor, Chemistry, Fairbanks
Gary Gislason, Professor, Math, Fairbanks
Mary Ann Haugen, CRA Student Representative, Unalakleet
Clara Johnson, Director, Interior Campus
Lynn Johnson, Director, Chukchi Campus
May Kenworthy, Business Manager, Chukchi Campus
Dorothy Larson, Chair, CRA Council
Cecilia Martz, Asst. Professor, Kuskokwim Campus
Nancy Mendenhall, Director, Northwest Campus
Perry Mendenhall, Instructor, Northwest Campus
Maynard Perkins, Instructor, Northwest Campus
Lucy Sparck, Assoc. Professor, Kuskokwim Campus
Jim Stricks, Director, Center for Distance Education
David Williams, Acting Director, Kuskokwim Campus
Peggy Wood, Director, Bristol Bay Campus

DATE: February 14, 1992

RE: Report of the Rural Campuses Committee

In September the committee was charged to:

1. Recommend a structure for allowing the placement of extended and rural campus-based and service programs in one unit that would best meet the mission of extending services and programs to the rural areas. This will include the structures for relationships among the rural campuses. The recommended

structure should advance the UAF mandate to serve rural Alaska with at least one option which describes a structure without baccalaureate degree programs. The recommendation might identify programs housed elsewhere at UAF that might benefit the new configuration and benefit from it.

2. Recommend a mechanism to provide rural students access to resources throughout UAF.
3. Recommend mechanisms for the rural campuses and programs to relate to and get advice from rural communities—e.g., an advisory body.
4. Recommend curricula and governance mechanisms that will give rural campuses more autonomy in addressing community needs while ensuring that all certificates and degrees are an integral part of UAF.
5. To identify other issues that need resolution or opportunities that should be addressed prior to implementing a reconfiguration and the steps that are needed.
6. To indicate the type of leadership and academic support needs for the recommended organizational structure. Consistent with current projections about declining state revenue, the recommendations should not call for additional financial resources.

The committee has developed two possible models and has outlined some sub-models which especially address the charges relating to structure and leadership (charges 1 and 6). The remaining charges (2, 3, 4 and 5) are addressed separately. This work was undertaken in a climate of program review in which the College of Rural Alaska may now be assessed 20% of the total UAF budget target; in which vice chancellors have recommended a consolidation of rural units into a miscellany of extended services units; and in which rural initiatives—once the capstone of the UAF mission—have been relegated to the lowest priorities listed on the UAF Vision Statement for the Year 2000. These developments have emerged since the committee was charged with its mission. Their potential consequences may mightily effect the continued health of the university's rural mission. Thus, although the formal charges and related discussions either specifically or by implication have discouraged both a "separate MAU" option and a "remain as is" option, both are listed here.

A strong consensus exists in the committee that Model #1—the separate MAU—is the only way to ensure that the community college mission and rural focus will flourish. To a lesser extent, the committee also supports Model #2 which calls for a continuation of CRA as it currently exists until the end of fiscal year 1993. During that time, some promising models which the committee has been unable to develop fully would be discussed further. One such model would place the rural elements of CRA under the University of Alaska Anchorage. Another such model creates a separate administrative unit that would report directly to the UAF chancellor and that may be the best alternative under UAF for the protection of the university's rural focus.

The committee also reviewed a third construct: the Extended Services Model provided by the vice chancellors as a possible program review consolidation. The committee is unanimous in its belief that with this model, UAF would lose the credibility and support

Joan K. Wadlow, Chancellor

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of the rural and Native population, which has been recently damaged and which we are all trying so hard to regain.

Whichever model is chosen, some concerns have emerged:

1. It is felt that UAF attention to rural education, campuses, faculty, constituents, communities, and programs has dimmed and must be rekindled.
2. It is believed that agreements reached at the time of university restructure with then President O'Dowd, then Chancellor O'Rourke and others to the effect that rural campus/former CCREE unit budgets would not be used to support the needs of the Fairbanks campus are being violated. These agreements must be honored; CRA rural unit budgets must not be reduced more than proportionately based upon FY'92 continuation levels.
3. At the time of restructure, it was also agreed that the Community College mission would be preserved in UAF and that the College of Rural Alaska would be the instrument of its preservation. It is widely perceived that this agreement is now in jeopardy.
4. It is believed that the rural units are viewed as troublesome and unproductive despite program review data that contradicts the later characterization in terms of numbers of graduates by major (CHAP certificate and A.A. degree) and overall number of majors (112 A.A. majors). With respect to the former, the rural campuses do strongly desire resolution of issues which developed with restructure and which have never been acceptably resolved. These include course and program autonomy, ability of bi-parite faculty to participate fully in the faculty rank and tenure system, and generally, the ability to be responsive to community and local needs when these compete with more traditional academic goals.

It is the hope of the committee that as discussions continue and as decisions about the rural units are made, the causes of these perceptions may be mitigated, and the reasons for these concerns may be removed.

The committee thanks you for your attention to this report.

RG:dre

MODEL #1: THE UNIVERSITY OF RURAL ALASKA AS A SEPARATE MAU

DEFINITION OF THE UNIT

This unit could initially comprehend all of the present CRA with the possible exception of the Fairbanks-based education department, the Department of Behavioral Sciences and Human Services, and the Rural Development Program. If this model is approved, immediate discussion should begin aimed at determining placement of Fairbanks-based education, BSHS, and RD and which includes a collegial examination of the possible placement of the Cooperative Extension Service and perhaps other programs within the UA system which primarily or characteristically serve rural or Native Alaska populations. The structure of this MAU would be similar to the other MAU's with respect to academic and administrative organization.

RATIONALE

Characterized by remote villages, lack of economic infrastructure, high unemployment, high birth rates, and culturally diverse indigenous populations, much of rural Alaska has been compared to a Third-World country. To the outside observer, its needs are mind boggling. Simple services such as water and sewer, dependable electricity and communications, and connecting roads are often a luxury at best. The economy is still primarily based upon the gathering of fish and game and yet, because of the combined effects of dwindling natural resources and dramatically increasing population, there is a shifting toward a cash economy and an increasing demand for jobs that do not exist in villages.

Since the time of the first exposure to Russian fur interests, the attitude towards rural Alaska has been exploitive: come in; remove the natural resources; leave wealthy. To a great extent, this attitude and its accompanying philosophy of social Darwinism has not changed. Put simply, the attitude taken by government, economic, and social agencies toward the indigenous populations of rural Alaska has been and continues to be "We know what's best for you."

Education has not been much different. Despite changes in administrative control, education providers see their primary mission as one of teaching students to enter job markets controlled by cultures other than their own. With few exceptions, this is emphasized by the provision of standard American curricula by teachers who come from outside the state and stay for only a few years.

This attitude has not been limited to the K-12 grades. In the establishment of community colleges in western Alaska, the tendency was to build programs with traditional academic and vocational structures. In many cases, seemingly needed programs have been dropped because of a lack of student participation. A discrepancy developed between what the colleges thought was needed and what the people of the various regions wanted.

Paralleling the program changes taking place on the rural campuses has been the growth of local, regional, and statewide self-determination. No longer content with being told what they should know and do, the peoples of rural Alaska are finding that

Model #1

they have a right to use their voices and a right to be heard as they work toward defining their social and economic development. With this comes the need to change the traditional role orientation of the rural campuses. Rather than bringing university-defined post-secondary education to rural residents, the campuses wish to respond to communities by providing what they have themselves identified as their educational needs and interests. While degree programs may be sought, the ever-increasing request to provide knowledge which meets immediate and long term needs often does not involve enrollment in traditional courses or programs.

Faculty and administrators on rural campuses have had to learn to listen to the people of their regions and to change directions as necessary. It has been learned that in order to be effective, rural campuses must place the needs of their constituencies before adherence to traditional patterns of the university to which they are administratively aligned. This has led to friction between the campuses and the University of Alaska Fairbanks. Whereas UAF envisions itself as a national and international leader in polar research, graduate programs, and Alaska resource development, the rural campuses envision their role as one of responding to rural Alaska communities as they strive for economic and political self-determination. This response may or may not coincide with the goals of UAF.

Both visions are valid but contradict each other in basic orientation and ultimately compete against each other for resources. Both visions strive toward the higher mission of enriching the state and peoples of Alaska, but UAF works on a statewide level while the rural campuses work locally.

Thus, a schism exists that will only grow wider as rural communities identify their needs and ask the university to respond. UAF will be put in a position where it must eliminate or alter programs in order to meet its vision for the future. With a strong foundation of well-established academic programs, there will be a reluctance to maintain community-oriented institutions that emphasize courses and workshops over programs and degrees. Given UAF's commitment to programs, rural campuses will lose support and budget.

In order for the University of Alaska to maintain its commitment to the peoples of rural Alaska as they seek to develop their communities, it is essential that an independent structure be created that allows for the recognition of the uniqueness of the state's rural regions while accommodating programs such as teacher education, community health aide training, social work, and rural development which address statewide rural needs. Any such structure must allow for a great deal of flexibility. Because of a lack of job and role models, many rural students have no real idea about the opportunities available to them nor have communities necessarily defined their professional and vocational needs. As these needs are identified, rural campuses must have the ability to establish program relationships with other units of the university. It is not at all inconceivable—in fact, it is one of the greatest advantages of this model—that one or more of the rural campuses could be offering the tourism program from Southeast, the aviation maintenance program from UAA, and a land resource management program from UAF. Admittedly it will not be possible to offer all the programs of the university system at rural campuses. However, it must be possible to offer those for which the demand and need are compelling. In addition, the rural campuses can serve as a bridge between the villages and other valuable

Model #1

programs offered on urban campuses by providing students with basic courses and training regardless of where they will have to go to complete their studies.

The creation of a separate MAU incorporating the rural campuses and statewide programs will serve to strengthen the university's commitment to the rural peoples of Alaska by making available to them the tools needed for self-determination.

DISCUSSION

It is recognized that there are additional costs associated with the creation of a major administrative unit, but it is believed that long-term cost benefits will accrue to the state if rural Alaska is well served educationally. In proposing this model, the committee has concluded that emerging UAF philosophical visions and funding directions are leading away from the arena of rural service. At the time of UA restructure, rural legislators, faculty, and constituents feared a merger with UAF would lead to budget rapine and mission erosion for former CCREE units. Thus, it was agreed that monies once allocated to rural units would not be reallocated to support the needs of the main campus, and that the community college mission (including responsiveness to community needs, open entry and access, and provision of vocational and developmental education) would be preserved. In support of these agreements, rural campus units were given separate budget allocations, and a UAF mission statement was developed that reflected the centrality and prominence of the university's rural focus.

Now, despite a program review which shows the College of Rural Alaska to be far better, stronger, more effective, and less expensive than had been supposed, it is proposed that the college will have more of its budget reallocated to Fairbanks-based efforts than any other college. The UAF Vice Chancellors' Program Review Recommendations further propose a merger of CRA's rural campuses into an ill-considered melange of extended service units. The rural campuses are not units of UAF outreach whose purpose is to take some thing that exists at Fairbanks and to bring that thing to rural areas. The genius of community mission is that it exists to respond to unique local or regional needs. The rural campuses are no more an extension of the Fairbanks campus than the Fairbanks campus is an extended service unit of Chukchi or of Northwest or of Kuskokwim. Thus, the vice chancellors' recommendation guarantees to frustrate the Board of Regents' interest in enhancing the effectiveness and status of CRA's rural units. It also guarantees that earlier agreements will be frustrated, that budgets will become unrecognizably co-mingled, that rural purpose will be diluted, and that rural mission will be rendered incoherent. To add to this, a UAF vision statement has been advanced which, unlike the UAF mission statement, addresses rural service not as a priority, but as an afterthought.

In this present climate, the committee believes that CRA's rural campuses and initiatives are more likely to survive and prosper in a major administrative unit that is fully committed to the University of Alaska's rural mission.

MODEL #2: RETAIN CURRENT STRUCTURE/INTERIM MODEL

DEFINITION OF THE UNIT

This is not a discrete model. Rather, it is a proposal to permit the current structure to remain in place for a period of up to eighteen months. During that time, careful study—which has been difficult in UAF's recent climate of program review—will be carried on. One specific model (see #2a) the committee would examine is placement of CRA's rural elements under UAA. Another specific model the committee would examine (#2b, following) posits a separate administrative unit under UAF which would report directly to the chancellor. It should be noted, however, that the general discussion called for in this model would not be limited to these two sub-models.

RATIONALE

The problem of university program delivery to rural areas is again under review. In the spring of 1991, the Board of Regents ordered a new restructuring of the College of Rural Alaska with a recommendation of how this was to be accomplished to be submitted by February 1992. The reasons for their order appear to be mainly to strengthen rural campus programs, and to provide greater visibility and status to those units. This was later translated into a decision to separate the present CRA into two units. At the time, President Komisar received input from some UAF faculty to the effect that BOR goals could be accomplished within the currently structured CRA, or that changes needed could be managed from within. Since then, the program review from the College of Rural Alaska has been submitted and is now in the process of being evaluated. Some readers outside the CRA, and even those within, have been surprised to find that the CRA in its present structure is doing a far better job than was known.

Among the committee and the faculty there is considerable support for retaining the present structure of CRA with internal modifications. This support is based partly on the sense that frequent restructuring as a method of dealing with problems creates more problems. Some of these are:

1. Restructuring directs the organization toward structural solutions but does not address the underlying and more difficult problems such as curriculum, distance delivery, and teaching to the needs of students;
2. The present structure has not had a comprehensive evaluation and no attempt has been made to try to solve the problems that now exist. The external impetus for restructuring CRA is vague and is not sufficient to justify changes.
3. Reorganization defers the very accountability that is needed. It is argued that walking away from the old organization without being held accountable for its failures sets up an unproductive cycle. There is the perpetual hope that the new organization will work and so we start anew, freed from responsibility to solve problems inherent in the model being abandoned.

4. The College of Rural Alaska was established with input from rural faculty and staff, rural community members, Native leaders, and university staff in a lengthy dialogue on how to meet the needs of rural Alaska, and this present process is not as comprehensive. Further, the rural people who will be affected by this reorganization will have only minimal input.
5. With the present structure, there is continuity and an umbrella for linking somewhat disparate programs into a more focused critical instructional and service unit. That separation into a separate unit will require effort and perhaps changes to accreditation and other complications. There is the potential for instability especially in a time of limited resources.
6. The College of Rural Alaska helps the university to meet its land grant obligations. The present structure was established to provide an integrated structure of rural campuses, undergraduate, graduate, vocational, and academic programs and services to meet rural needs. The university needs an identifiable unit that is particularly concerned with and grounded in the uniqueness of rural Alaska, as opposed to having no unit concerned with rural Alaska.

DISCUSSION

At this point, there is no emergency that would necessitate rushing into major changes. Further, minor structural accommodation such as the bifurcated model recommended by the Education/BSHS committee might initially be responsive to the Board of Regents in assisting the Education Department to become more prominent.

Our request is that this restructure study be opened up, both in time frame and dimension, so that we can do it right. The question being asked should be refocused. It should not be What is best for the rural colleges? or even What is best for the education programs, or CRA, or for the university? The question, which will take more time to answer, is What is best for rural citizens?

If we were to take on that large and very real question, and then from our answers examine the issue of appropriate structure, we might be able to significantly impact the critical situation in our rural areas. We might have a chance of success in carrying out our mission.

To start with, we must begin with an analysis of source documents such as ISER reports, AFN's Call to Action, rural social service programs, rural public schools, our own rural campuses, vocational technical schools, job placement offices, and more. If this seems to be far off from the concerns of the groups that originally raised the criticism of CRA, then it may be that these groups do not really understand our mission or our methods and are not the proper parties to be demanding instant restructure from the Regents.

The College of Rural Alaska, as the only post-secondary institution in almost all rural areas, deserves to have critical attention given to its mission. We believe this was what the regents originally intended and that there is no current emergency which stands in the way of us being allowed a year and a half, starting now, to carry out such a study. Any short cut is inevitably doomed. Any hesitation to grant this request should be

Model #2

assuaged by a concerned reading of the College of Rural Alaska program review of December, 1991 or of the report of the Northwest Association's accreditation team—that CRA should "stay the course" and be given greater support by other UAF schools and colleges.

This study should not be restricted to examining only a certain set of possible configurations and relationships. The group assigned to the task should be allowed complete freedom to examine the whole range of possibilities for UA rural program structure without restrictions such as "it would cost too much," when no cost study has actually taken place. The assumption would be that the group will take its mission seriously and will not produce ridiculous options, but rather produce proposals of merit. The University of Alaska has several unique missions, all of which need to be taken seriously. This rural one, perhaps, should be taken most seriously of all.

Model #2a

Model #2a: Organize under UAA

DEFINITION OF THE UNIT

At minimum, the five rural campuses and the Center for Distance Education would comprise this unit. Other units of CRA would possibly be included based on further discussion with those units and on formal talks with UAA.

RATIONALE

The primary criterion that encourages pursuit of this option relates to the possibility that UAA's mission and interests may now be more consonant with rural priorities than those of the current host institution.

DISCUSSION

From informal conversations with UAA, it appears that since university restructure, those former community colleges associated with UAA have had local autonomy with regard to course and instructor approvals at the zero, 100, and 200 levels, their students have been able to apply developmental credit to some of their degrees and certificates, their campus directors have been on the same level as academic deans, their bipartite faculty have participated in academic rank and tenure, and their budgets have not been reduced. Clearly this bears further study.

Model #2b

Model #2b: Separate Administrative Unit within UAF

DEFINITION OF THE UNIT

The reconfigured College of Rural Alaska would retain that title. Two different definitions which would determine elements of the unit are presented here.

In creating this unit, it is initially most important that the rural focus be predominant. Thus, the unit would comprise all elements of the present College of Rural Alaska except for the Fairbanks Education Department and the BSHS Department. Both of these departments presently have responsibilities for providing services to rural Alaska (e.g. graduate programs in education and rural social work). These responsibilities would continue to be carried out, and this would be arranged through a combination of joint appointments and Memoranda of Agreement. It is felt that this is an irreducible grouping which is sufficiently strong in terms of academic breadth and range, which achieves needed economies of scale, and which brings together programs that deal so directly and importantly with rural students and rural needs.

An alternate unit may also be considered which would comprise all of the elements of the present College of Rural Alaska. It is believed that the removal of the entire CRA organization into a different reporting pattern may provide the Education and Behavioral Sciences Departments with the focus, attention, and positive visibility that is desired.

RATIONALE

This model is drawn largely from the Rural College Task Force Report and recognizes:

1. The responsibility for providing the same or higher levels of educational services, opportunities, and access to rural students and communities;
2. the need to protect and defend rural budgets and to develop autonomy in this area;
3. the need to increase autonomy with respect to academic decisions;
4. the advantage and the appropriateness of enhancing the status of our organization and leadership;
5. the requirement to provide to all rural faculty the entire range of security and status which is available within UAF; and
6. the benefit of leaving the way clear for possible future accommodations.

DISCUSSION—LEADERSHIP AND AUTONOMY

The present College of Rural Alaska was created during the UA restructure of 1986-1987. From the first, there were many difficulties in areas relating to faculty

Model #2b

governance, academic regulations, and organizational policy. In what was officially viewed as a merger of two equally worthwhile institutions into a third and new institution, academic and organizational life went on as usual for the former University of Alaska-Fairbanks units, but the former CCREE units were compelled to accept many changes such as

- demotion of their immediate leadership from chancellor to dean and from community college president to campus director (except for TVCC whose president became a dean);
- loss of control over academic programs (local autonomy with respect to course and instructor approval was yielded to Fairbanks-based academic departments); and
- faculty wishing to participate in a system of academic rank and tenure had to accept tri-partite assignments and the expectation that they would become active researchers.

The attempt to merge the philosophies of small, rural, community-based institutions with a large, internationally oriented, urban research institution has not worked. And the ways in which it has not worked have been detrimental to the smaller organizations. If the unit proposed here is to successfully continue its mission of education and service within the larger UAF unit, it must be accorded both the status that its worth and the needs of its constituents warrants and a measure of budget protection that is not now available.

First, the unit should be headed by its own vice chancellor (rather than a dean) who would have academic, administrative, and support responsibilities within this unit. These broad responsibilities cut across those of the present, more narrowly charged vice chancellors. This position would also be responsible for initiating, supporting, and ensuring maintenance of UAF commitment to rural mission, budgets, and other initiatives, and would report directly to the UAF chancellor. Appropriate title changes should be made also for the campus directors who are the administrative and academic leaders of their units and who function much as deans or institute directors in terms of size, scope, and complexity of responsibilities. This is not conveyed by their current reporting line to a dean, but a title such as regional director may communicate this authority more clearly.

Second, the CRA budget should be allocated separately—not so that it would escape the possibility of reductions which faces us all, but so that funding intended to support rural students, programs, services, and initiatives would not be used to support UAF budget needs that are non-rural. It is an unacceptable breach of faith and of promise to serve urban purpose with rural funding.

Third, academic autonomy should be revised to pre-restructure levels. Specifically, program development and course and instructor approvals at the zero, 100, and 200 levels in disciplines in which CRA has faculty should be under the control of those faculty. If X-CED and RD are included in the proposed unit, faculty from those departments would similarly control their programs through the graduate level. These changes, however, would not impact the relationship which all UAF academic units have with respect to the faculty senate.

Model #2b

Fourth, unit criteria would be put in place which would allow faculty to participate fully in academic rank, tenure and promotion, governance, and related aspects of university life while still addressing local, community, and regional needs. This would mean either that faculty would be given primarily teaching and service assignments— with only minimal research requirements—without jeopardizing or prejudicing employment decisions or that bipartite faculty would be eligible for academic rank. This latter possibility would require review by the faculty senate, so it could be brought into conformity with policy at other UA units. This might also be made possible by administrative or regential accommodation.

ENHANCEMENTS

It has been suggested that the lack of baccalaureate and graduate programs in areas other than education, rural development, and more recently, social work represents too narrow a field of choice and, in effect, channels rural students into these few career lines. This raises two immediate questions: Why these particular degrees, and why so few degree areas? Rural students who pursue these degrees are following the only path that presently leads to professional-level jobs and salaries in small rural Alaska villages. There are few career opportunities, thus few degrees are offered.

The merit of the "channeling" supposition, however, cannot be denied. A broadening of upper and graduate level opportunities would indeed greatly enrich present programs. It would provide new and different choices for students and encourage them to break clear of the "channels." A program enhancement of up to 400.0 would permit the College of Rural Alaska to contract with faculty in other UAF schools and colleges for the regular provision of courses and programs where CRA lacks faculty expertise but which would benefit students and meet clear demands. It would also better support diversity and access through improvement and expansion of distance delivery (see discussion of charge #2.)

FUTURE DIRECTIONS

A possible consolidation has been suggested by UAF vice chancellors that would amalgamate the College of Rural Alaska, selected parts of the School of Career and Continuing Education, and the Cooperative Extension Service with, perhaps, KUAC-AM/FM, Conferences and Special Events, the Marine Advisory Program and Summer School. While this agglomeration may stand scrutiny as a unit of UAF extension services, it diminishes the status and diffuses the rural focus that must be maintained within the proposed unit. The rural campuses existed for years as autonomous, separately accredited institutions and functioned well in regard to their academic, vocational, and community/regional service mission. They will continue to stand as an expression of that mission rather than as an instrument of outreach by the Fairbanks campus.

Therefore, this idea proposed among the Vice Chancellors Program Review Recommendations has been rejected as deleterious to rural initiatives. Nevertheless, given time for careful study and general discussion, it is possible that some combinations would emerge that would be useful to students and effective in

Model #2b

university terms. Indeed, some parts of SCCE and CES might be combined to good effect with the College of Rural Alaska, but such accommodations must be approached with mutual respect and recognition of the unique missions and potential compatibility of each entity.

Charges

OTHER CHARGES ADDRESSED

The second through the fifth charges are addressed in this section. Respectively, they relate to providing rural students with increased access to UAF resources, creating an advisory body, increasing rural campuses' ability to meet community and regional needs, and identifying other issues which require consideration.

CHARGE 2

Recommend a mechanism to provide rural students access to resources throughout UAF.

Response: It is the feeling of the committee that most of the resources needed for meeting the basic instructional needs of students are already available within the College of Rural Alaska. What is lacking, however, is budget support at a level that makes access possible. Faculty and students can be in contact through audioconference and in student meetings. The academic progress of distant students is greatest when these approaches are combined. Currently, audioconferencing budgets are unable to provide students with equivalent Carnegie units of audioconference contact, and the idea of student meetings for work in developmental and core courses lingers only as a fond memory.

Furthermore, repair and replacement of broken, worn out, and obsolete equipment is years behind schedule and the purchase of state-of-the-art equipment such as Tele-graphics units seems out of the question. In our rhetoric, we discuss how we will remain at the cutting edge of distance education and leave the world stunned in the wake of our leadership and expertise. In reality, we are operating more like the MASH unit—with all the professional skills and dedication of Hawkeye and his friends but without some wily and parsimonious Radar to procure the technology needed for success.

An enhancement in the 400.0 range is sorely needed that will cover audioconferencing costs, an additional bridge so more sites may call in to classes, Tele-graphics technology, and replacement equipment.

With that said, there are some areas—particularly vocational—where it would be useful to be able to buy out faculty expertise from other schools and colleges. However, while many faculty are quite interested in working with rural students, it is generally perceived that this work will not add to—and may even detract from— one's promotion and tenure chances. So, two things would be necessary: money to fund buy-outs and some signal from the top administrators and faculty leaders that such involvement does indeed count usefully in tenure and promotion decisions.

CHARGE 3

Recommend mechanisms for the rural campuses and programs to relate to and get advice from rural communities—e.g., an advisory body.

Response: Since restructure, the College of Rural Alaska has benefited from the advice of the CRA Council, which is authorized by Board of Regents' policy to

Charges

provide insight and guidance with respect to community and regional needs, budget matters, program development, and related matters. Within the regions, each rural campus has its own advisory council with membership elected by specific constituencies. These councils are, likewise, highly effective in their provision of appropriate citizen input and advice. Further, at the rural campuses, certain programs—especially in the vocational areas—have their own program advisory groups, which are usually drawn from local practitioners and potential employers. As one may imagine, considerable informal guidance and advice is also available.

It is felt that campus links to communities and regions are sufficient. The chief difficulty is not getting advice, or sorting priorities, or clarifying goals or directions. Rather, the problem is the lack of resources and funding necessary to pursue and implement important programs.

CHARGE 4

Recommend curricula and governance mechanisms that will give rural campuses more autonomy in addressing community needs while ensuring that all certificates and degrees are an integral part of UAF.

Response: This is an issue that relates to faculty and curriculum. The curriculum argument has to do with local control. Prior to restructure, each campus had a curriculum review process in place and working well enough to satisfy both internal faculty and external reviewers (such as NASC accreditation teams). Since restructure, rural campuses still employ earlier processes but are now subjected to additional levels of review before proposed courses and instructors are approved. This is galling when what is being requested is permission to offer a course at the zero, 100, or 200 level in a discipline such as math, science or English, especially when there is a cadre of eight math/science faculty and seven English faculty—some with terminal degrees—distributed among the rural campuses. Even in cases such as this, permission must be requested of the Fairbanks-based faculty in those departments.

The committee believes that the same local autonomy available to faculty at those former community college campuses now associated with UAA and UAS should be available to rural campuses at CRA. Naturally, dialogue and involvement with Fairbanks-based disciplines is useful and appropriate, but it must be in the context of cooperation and coordination rather than direction and supervision.

The larger element of this issue relates to faculty, both as employees and as teaching resources. To serve rural Alaskan needs, which are many and diverse, the wisest decision is to advertise for and hire faculty who are generalists able to teach across a range of courses or disciplines. This has been the historical approach, and thus we have a faculty member who would teach, for example, developmental math, earth science, photography, gardening, and survival skills courses all in one semester. Another would teach business management, written composition, introduction to education, tourism, and world history courses in that same semester. Many other examples could be offered, because highly effective generalist teachers were more the rule than the exception. Faculty hiring this profile have two master's degrees and considerable additional formal education more often than they have doctoral degrees. Also, it is typical for them to have little interest in carrying out academic research and

Charges

even less formal training in research methodology or design. Nevertheless, in order to participate in the university system of faculty rank, tenure, and promotion, those teaching in core areas are required to accept tripartite work assignments. And, while expectations that they will actively research bind them, their teaching loads are reduced in compensation.

Faculty must be able to teach; students need more courses made available. Surely some accommodation can be made to improve an unworkable situation either through the faculty senate or through some other mechanism.

CHARGE 5

To identify other issues that need resolution or opportunities that should be addressed prior to implementing a reconfiguration and the steps that are needed.

Response: Whichever decision is made about the structure of the College of Rural Alaska, there will be ideas to be debated, details to be stipulated, and issues to be resolved. At this point, however, there is only one significant issue that requires immediate attention: budget.

It is the belief of the committee that until the questions of structure and placement are resolved, CRA funding should neither be reduced nor reallocated but maintained at the FY92 continuation levels.



STATE OF ALASKA

LEGISLATIVE AFFAIRS AGENCY

DIVISION OF PUBLIC SERVICES

APR 1 1992

DATE: 3/30/92

Please accept the enclosed original(s) of written testimony
for the HB 562 teleconference hearing that was
scheduled on 3/30/92.

A copy of this testimony was transmitted to your committee via
fax on 3/30/92.

Thank you,

Ernie - F. K. - L. O.

~~450-4498~~

488-0422

Walt Peterson

I Support House Bill 562.

dr 1985/86 70% of Alaska

College students utilized Community

~~College~~ and Rural College delivery at

a cost of 43% of the University

system budget.

1987 brought motivation and

a drastic reduction of services.

Reducing the number of MAU's encouraged

at least fund activity.

Now with accelerated budget

reductions looming on the horizon
these some units that were
brought in one university will
be fed into the budget reduction
work. Only a separate UOC Ed
MAU. will protect the 70% of
Alaskans who live and work and need
technical, vocational, developmental training
to access the present and future jobs in
the state.

Walt Peterson
2681 Nelson Rd.
North Pole, AK 99705



Legislative Affairs Agency
Fairbanks Legislative Information Office
119 North Cushman Avenue, Suite 101
Fairbanks, Alaska 99701

*Original written testimony
file on 3-30-92*

Rep Kubera - Chair

House State Affairs Office

Capital Rm 102



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TO: Rep. Kubina FAX: _____ PHONE: _____

FROM: Walt Peterson (2681 Nelson Rd.) PHONE: 488-0422
North Pole, AK 99705

INSTRUCTIONS: (House State Affairs) testimony on
HB562

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STATE OF ALASKA

LEGISLATIVE AFFAIRS AGENCY

DIVISION OF PUBLIC SERVICES

DATE: 3-30-92

Please accept the enclosed original(s) of written testimony for the Bill 562 teleconference hearing that was scheduled on March 30, 1992.

A copy of this testimony was transmitted to your committee via fax on 3/31/92.

Thank you,

John P. Chalk

HOUSE BILL 562
TESTIMONY

My name is John P. Charlie, I am a former student of Kuskokwim Community College (KCC) in Bethel. I am testifying in support of the bill 562.

I had gone to KCC in Spring 85 to Fall 86 and received my Associate of Arts degree in May of 1987. At that time the restructuring plan was in process and the Board of Regents were traveling into the Community Colleges for Campus hearings. I was the Student Government President at that time when Ann Parish (?) and another member came into KCC for some response from KCC. We, the KCC Student Government, gave our presentation of how we felt about restructuring the Community College as a branch, knowing that there would be a limited number of courses offered. I think the decision to have the Community Colleges as branches of UAF and UAA was a misfortune.

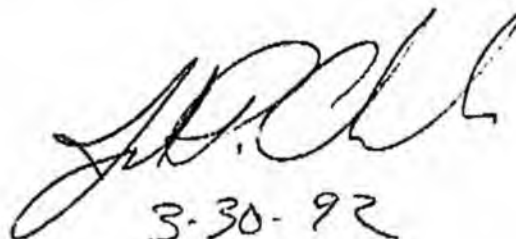
I think that when the Bethel campus was a Community College, it was pretty good and offered a variety of classes in many fields. But since the restructuring there are limited courses and courses offered to teach out in the villages are restricted.

Another factor that I believe that has caused the enrollment of students in the Bethel campus to decrease is the tuition costs and limited amount of courses offered.

The enrollment of part-time students have declined since the restructuring of the Community College. Due to the factor that there are not enough courses offered and the tuition are too high. The cost in tuition will probably continue to increase looking at the situation(s) that the College is in at this time.

If the Bethel Campus was to return to it's former position as a Community College the flexibility of courses offered would not be limited, more part-time student would be enrolling, tuition would be less, and the atmosphere within the campus would probably be encouraging to the outlying village in the "Bethel Community College" area.

In closing, I am very much in support of the House Bill 562, in reference to the past experiences I had in Kuskokwim Community College in Bethel. I thank you for your time and hope that this will help you to decide to restructure the campus back to its original state.



3-30-92

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20

A PROSPECTUS

FOR THE ESTABLISHMENT OF

ALASKA STATE UNIVERSITY

- WHY:** Higher education in Alaska is in a state of flux as it attempts to respond to increasing demands during a time of limited resources. As the economic opportunities across the state change, so must the educational institutions. Educational services must be provided in the settings and forms in which they are most needed, and this must be done in a cost-effective manner with minimal duplication of effort. A statewide institution is needed to integrate and coordinate the delivery of higher education services throughout the state beyond the major urban campuses in Fairbanks and Anchorage, and particularly to rural Alaska. One consolidated larger institution specifically dedicated to provide such services will be better equipped to perform the necessary functions than several smaller disparate units.
- WHAT:** The Alaska State University would function as a service-oriented institution, focusing on outreach programs of teaching, community service and applied research in response to the immediate and long-term needs of communities and regions across the state. An integrated distance delivery system would be established linking all the regional and urban campuses with each other and with the communities where the programs and services are needed. Through cooperative arrangements with UAF and UAA, resources from the urban campuses would be made available to rural communities, and expertise from outlying areas would be made available to students and programs on the urban campuses. Alaska State University could also be the arm of the public university system responsible for linking with the emerging Tribal Colleges in the development of improved educational opportunities for Alaska Native people throughout the state.
- WHO:** The Alaska State University would be a new institution made up of compatible elements of the existing system. The core of the new institution would be formed by merging the various rural campuses, programs and centers that make up the College of Rural Alaska and Cooperative Extension Service at UAF, with the campuses, programs and infrastructure that currently serve as the University of Alaska Southeast. These consolidated units, including the eight campuses (Chukchi, Northwest, Kuskokwim, Bristol Bay, Interior, Juneau, Sitka and Ketchikan) and the various programs (developmental, vocational, undergraduate, graduate and extension) would form a newly constituted institution. As such, Alaska State University would be of sufficient scope and critical mass of faculty and resources to be able to increase the breadth and depth of university services to the state within the limits of existing resources, while preserving and enhancing the missions of the constituent units. In addition, other related elements of the UA system may wish to be considered for inclusion in the new unit, e.g., Prince William Sound Community College, the distance education office of the UA statewide administration, etc.
- WHERE:** As an institution with statewide service responsibilities, the Alaska State University would continue to maintain a statewide presence through the regional campuses, extension centers and an enhanced distance delivery system. The central administration would be housed in Juneau to utilize the academic and administrative support structure that is already in place at UAS and can be readily linked with the existing CRA and CES organizational frameworks.
- HOW:** Alaska State University can be formally established through action of the UA Board of Regents approving the parameters of the new institution in concept, and directing the faculty, administration and constituent councils to prepare a detailed plan to be reviewed by the Board.
- WHEN:** The Board of Regents could take action on the concept as early as its April, 1992 meeting and request a report in time to begin implementation of the new plan during the 1992-93 academic year. In the meantime, the constituent elements that would make up the Alaska State University should remain intact so their missions and services can be carried forward and merged into the new institution.



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: March 30, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:

- *HB 525 - Relating to State Income Tax on Personal Income
- *HB 562 - Relating to Establishing Comm. College Sys.
- SB 337 - Relating to Retirement Incentive Program
- HB 528 - Relating to Public Works Contr/Wage Incr.

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
✓ James E Fisher	Self	633 Harris, Juneau	99801	6-9601	6-9601	(Y)	N	HB 525
✓ ✓ Ralph Mc GATH	UQA PRESIDENT ACCT	2533 Providence Ave Anch, AK.	99502			(Y)	N	HB 562
James Fisher						Y	N	
✓ ✓ Bob Williams	UQA					(Y)	N	HB 562
✓ ✓ Vernon Marshall	NEA AK	105 Muni Way Suite 302 Juneau				(Y)	N	HB 525 HB 562
✓ BRUCE LUDWIG	APEA/AFT	340 N. FRANKLIN ST Juneau	99801		6-2334	(Y)	N	HB 562
✓ Marshall Lind	UAS	1120 Glacier Hwy	99801			(Y)	N	HB 562
✓ Jerry Mackie						Y	N	
Rosa Sund	NEFB	9159 Seward	99801	259-4127		(Y)	N	HB 525
✓ DARREL REYNOLDS, REVENUE					2300	(Y)	N	HB 525
✓ ROD MOURANT, REVENUE					2300	(Y)	N	HB 525

Ron Clark Service cost



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: April 24, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:

- HB 568 - Relating to Appt of Workers' Comp. Director
- HB 526 - Relating to Contractors & Local Public Works
- HB 463 - Relating to Voter Registration/Public Asst. Applicant
- HB 562 - Relating to Establish Community College System

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Loren Rasmussen	DOT/PE	3132 Channel Dr	99801	9-9724	2960	(Y) N	HB-526
Ralph Mc Gath	ACCFY 2404	2533 Providence	99504	562-2660		Y N	HB 562
Bambi Moore	UAA/ACC STUDENT	7641 Snow View Dr ANCHORAGE AK	99507	349-3135		(Y) N	HB 562
ARNE J. Lyskolm	UAS FACULTY	11120 GLACIER WAY JUNETTA, AK 99801	99801	289-4425		(X) N	HB 562
Chuck Mahlein	Commissioner Elections				465-2700	(Y) N	HB 568
Laura A Glaiser	Lt. Gov.	P.O. Box 110077	99811		3520	(Y) N	HB 463
Paul D Alexander	ACCFY	4201 E 104th Ave Anchorage AK	99516	346-3314	786-1535	(Y) N	HB 562
DAVE DAN	UAA	11800 Wagner Anchorage 9	99516	345-5338	786-1636	(Y) N	HB 562
Chuck Wade	ACCFY	Box 906 Bethel	99554	543-2042	543-4580	(Y) N	HB 562
Ann Will	PWSCC-Valdez ACCFY	Box 11553 Valdez	99686	835-2086	835-2691	(Y) N	HB 562
Ed Krivitsky	ACCFY	1220 E 16th 47 Anch.	99501	278-0520	786-1740	(Y) N	HB 562



House State Affairs Committee

Representative Gene Kubina, Chair

SUBJECT OF MEETING:

DATE:

PLACE:

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
DON MILLER	ACFT	10340 KASLOF BLVD ANCHORAGE, AK. 99516	99516	346-3332	786-1126	<input checked="" type="radio"/>	N	HB 562
W Redma	UA.					<input checked="" type="radio"/>	N	
Radene Schroeder	UAF	1199 Viewmonte Fbks	99709	419-6544	457-4233	<input checked="" type="radio"/>	N	HB 562
Sherrie Goll	Alaska Women's Lobby	P.O. Box 22156 JNO	99802		463-6744	<input checked="" type="radio"/>	N	HB 463
Hanna Schmitt	UAA-KPC ACFT	34820 College Road Soldotna, AK	99661	262-5821	283-6194	Y	<input checked="" type="radio"/>	HB 562
Tom Bergstrom	DNS					Y	N	
ERIK LEEGARD	ACFT	PO Box 3706	99803	750-4021	757-4428	<input checked="" type="radio"/>	N	HB 562
						Y	N	
						Y	N	
						Y	N	
						Y	N	

HB

564

(7)

HOUSE COMMITTEE REPORT

Date Referred: March 18, 1992

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/1/92

The STATE AFFAIRS Committee considered:

HB 564

HOUSE BILL NO. 564

SALARIES FOR NONCOVERED STATE EMPLOYEES

"An Act relating to salaries for officers and employees who are not members of a collective bargaining unit; and providing for an effective date."

RECOMMENDATIONS:

be replaced with C.S. HB 564 (STA) [] the same title [X] a new title

[] have attached amendments(s)

[X] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Eugene A. Kubina	✓				
Tom Nowe	✓				
Charles	✓				
E. J. ...	✓				
Jerry ...	✓				
Top ...	✓				

Eugene A. Kubina
CHAIRMAN'S SIGNATURE

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEW

POUCH AM
JUNEAU, ALASKA 99811
PHONE: (907) 465-3568

March 19, 1992

MAR 16 1992

The Honorable Gene Kubina
Chairman
House State Affairs Committee
State Capitol
Juneau, Alaska 99801

Dear Representative Kubina:

Yesterday House Bill 564, relating to the new salary schedule for state employees who are not members of a collective bargaining agreement, has been referred to your committee for its consideration.

The legislation amends the salary schedule in AS 39.27.011(a) to reflect the 3.57 percent salary adjustment. This statute governs the salary schedule for non-covered employees; the salary level for covered employees is governed by their bargaining unit's collective bargaining agreement and is not in statute. As a result, in order to extend the same COLA adjustment to non-covered employees, it is necessary to amend this statute.

More specifically, the legislation does the following:

Section 1. Amends the statutory salary schedule to reflect the 3.57 percent adjustment. This schedule covers legislative and executive-branch employees not covered by a collective bargaining agreement;

Section 2. Provides the same increase to permanent and temporary employees of the judicial and legislative branches and to exempt permanent and temporary employees of the executive branch. This section also covers the salaries of other officers, such as commissioners, judges, legislators and the ombudsman;

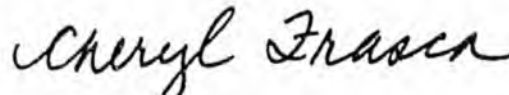
Section 3. Provides that University of Alaska employees not covered by a collective bargaining agreement are entitled to a salary increase in accordance with the compensation policy of the Board of Regents.

Section 4. Provides that this Act is retroactive to January 1, 1992.

Section 5. Provides an immediate effective date.

If I can provide any additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Frasca".

Cheryl Frasca
Director

cc: Commissioner Nancy Usera
J. Shelby Stastny
Paul Fuhs



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: April 1, 1992

PLACE: Capitol Room #102

SUBJECT OF MEETING:

- HB 171-Relating to Prohibit Sealing of Certain Court Records
- HB 528-Relating to Public Works Contr/Wage Increases
- HB 404-Relating to Filing Deadline for Certain Candid
- *HB 564-Relating to Salaries for Non-Covered State Employees
- HB 565-Relating to Approp: Contr. Settlement Costs

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
John Abshire	DOA	Juneau		465-2700		Quest. (Y) N	#528
Kathryn Kollchost ^{Post}	lawyers for civil justice	Juneau		907-0047		(Y) N	171
Mike McMullen	DOA	Box 110201 Juneau, AK	99811	465-4433	465-4430	Quest. (Y) N	HB 564, 565
Laura Glaiser	trechans	PO Box 110017 Juneau	99811	4614	→	(Y) N	HB 404
Cheryl Fraser	OMB					Y N	HB 564, 565
MARY NORRIS ^{Post}	Sen. Dis. Area	PO Box 21211, Juneau	99802	586-3346	→	(Y) N	HB 171
						Y N	
Russ Winner		900 W 5th Ave, Ste 700 Anch AK 99501		272-0313	277-9522	(Y) N	HB 171
Hayden Kaden	Rep. Donkey #Juneau-Turkey	Rm. 120 - St. Cap.			4990	(Y) N	HB 171
						Y N	
						Y N	

H B

5 6 5

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET DIVISION OF BUDGET REVIEW

WALTER J. HICKEL, GOVERNOR

POUCH AM
JUNEAU, ALASKA 99811
PHONE: (907) 465-3568

March 19, 1992

The Honorable Gene Kubina
Chairman
House State Affairs Committee
State Capitol
Juneau, Alaska 99801

MAR 19 1992

Dear Representative Kubina:

Yesterday House Bill 565, related to the cost-of-living allowance (COLA) for state employees, has been referred to your committee for its consideration. The legislation was introduced by the Rules Committee at the request of the Governor in accordance with the requirement the Governor present to the Legislature for its consideration the monetary terms necessary to meet collective bargaining agreements.

House Bill 565 appropriates the funding necessary to meet the monetary terms of the salary adjustment due employees covered by collective bargaining agreements for the period of January 1, 1992 through June 30, 1992 (or other days as noted below.) In addition, it includes funding to extend the same salary adjustment to employees not covered by an agreement.

Specifically:

Section 1. Executive Branch.

Appropriates \$6,425,200 in general funds and \$4,531,900 in other funds to pay the 3.57 percent COLA to executive-branch covered and non-covered employees;

Section 2. University of Alaska.

Appropriates \$1,897,000 in general funds to the University of Alaska to pay a salary adjustment based on the compensation policy of the Board of Regents (appropriation amount is calculated using the 3.57 percent); these are non-covered employees;

Section 3. Legislative Branch.

Appropriates \$485,200 in general funds to the Legislature to pay the 3.57 salary adjustment to its employees; these are non-covered employees;

Section 4. Court System.

Appropriates \$583,100 in general funds to the Court System to

pay the 3.57 percent salary adjustment to its employees; these are non-covered employees;

Section 5. Marine Highway.

Appropriates \$163,500 from the general fund and \$212,700 in other funds to pay the 3.57 salary adjustment due marine highway maritime bargaining units for the period of April 1, 1992 through June 30, 1992;

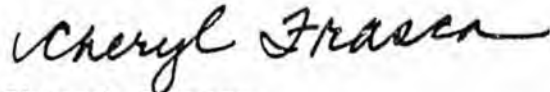
Section 6. FY 91 MEBA Agreement.

Appropriates \$90,600 from the general fund to pay monetary terms of an agreement with the Marine Engineers Beneficial Association for fiscal year 1991. (Funding to meet this agreement was appropriated by the Legislature last session. However, MEBA did not reach agreement prior to the end of the fiscal year and the funds lapsed. An agreement has since been reached and as a result, it is necessary to again appropriate these dollars.)

For the committee's reference, I have attached the notification OMB received from the Department of Administration regarding the COLA amount and specific information regarding each bargaining unit and its respective effective date for the salary adjustment.

Should the committee require additional information, please let me know.

Sincerely,



Cheryl Frasca
Director

attachment

cc: Commissioner Nancy Usera
J. Shelby Stastny
Paul Fuhs

MEMORANDUM

STATE OF ALASKA

Department of Administration
Division of Personnel & EEO

To: Cheryl Frasca
Director
Division of Budget Review
Office of Management and Budget
Office of the Governor

Date: February 19, 1992

Thru: Nancy Bear Usera
Commissioner
Department of Administration

Fr: Robert H. King
Director
Division of Personnel & EEO
Department of Administration

Re: Cost of Living Allowance
(COLA) Pay Increases

We have just been advised by the U.S. Bureau of Labor Statistics that the Consumer Price Index for All Urban Consumers (CPI-U) for Anchorage, Alaska, rose by three and fifty seven one-hundredths percent (3.57%) for calendar year 1991. Consequently, Cost of Living Allowances (COLA's) to salaries/wages are contractually due for the bargaining units noted below with respective effective date.

The following groups are due for a 3.57% COLA, on the dates noted.

<u>BARGAINING UNIT</u>	<u>EFFECTIVE DATE/COMMENT</u>
1. General Government Unit (GGU)	
a. "Class 1" employees (AS 23.40.200(a) (1))	Effective July 1, 1992.
b. "Class 2 and 3" employees (AS 23.40.200(a) (2) and (3))	Effective January 1, 1992.
2. Supervisory Unit (SU)	Effective January 1, 1992.
3. Confidential Employees Association (CEA) (K)	Effective January 1, 1992.

- | | |
|---|---|
| 4. Centralized Correspondence Study Education Association (CCSEA) | Effective January 1, 1992. |
| 5. Teachers' Education Association of Mt. Edgecumbe (TEAME) | Effective July 1, 1992. |
| 6. Inlandboatmen's Union of the Pacific (IBU) | Effective April 1, 1992. |
| 7. Marine Engineer's Benevolent Assoc. (MEBA) | Effective April 1, 1992. (Base wage only) |
| 8. Masters' Mates and Pilots (MMP) | Effective April 1, 1992. (Base wage only) |

Please prepare the requests for appropriation which are necessary to fulfill our contractual obligations for these COLAs.

The remaining Unions, LTC, PSEA and AVTECTA, are currently in negotiations and it is unknown what monetary increases, if any, will be agreed upon. If negotiations are concluded and terms ratified while the legislature is in session, any "monetary terms" will be reported and we will ask you to seek any necessary appropriations. If negotiations are not concluded within that time, terms will be reported and funding sought in the next session.

Please do not hesitate to contact me if you have any questions on these matters.

(7)

HOUSE COMMITTEE REPORT

Date Referred: March 18, 1992

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/1/92

The STATE AFFAIRS Committee considered:

HB 565

HOUSE BILL NO. 565

APPROP: CONTRACT SETTLEMENT COSTS

"An Act making appropriations for contract settlement costs for public employees who are members of collective bargaining units, and for salary adjustments for public employees who are not members of a bargaining unit; and providing for an effective date."

RECOMMENDATIONS:

be replaced with C.S HB 565 (STA) [X] the same title [] a new title

[] have attached amendments(s)

[X] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNF	NR	AM
<i>Eugene H. Kubisa</i>	<i>✓</i>	<i>[Signature]</i>	<i>[Signature]</i>		
<i>[Signature]</i>	<i>✓</i>				
<i>[Signature]</i>	<i>✓</i>				
<i>[Signature]</i>	<i>✓</i>				
<i>[Signature]</i>	<i>✓</i>				

Eugene H. Kubisa
CHAIRMAN'S SIGNATURE

7-GH2076D
Cramer
3/26/92

CS FOR HOUSE BILL NO. 565 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:

Referred:

Funding Information:	General Fund	\$ 9,671,600
	Other Funds	<u>4,744,600</u>
		\$14,416,200

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations for contract settlement costs for public employees who are
2 members of collective bargaining units, and for salary adjustments for public employees
3 who are not members of a bargaining unit; and providing for an effective date."

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

5 * Section 1. The sum of \$10,957,100 is appropriated to the Office of the Governor, office of
6 management and budget, to pay a 3.57 percent cost-of-living salary adjustment for executive-branch
7 employees for the period January 1, 1992, through June 30, 1992, from the following sources:

8	Federal Receipts	\$1,382,600
9	General Fund Match	323,000
10	General Fund	5,568,600
11	General Fund/Program Receipts	364,300
12	General Fund/Mental Health	169,300
13	Inter-agency Receipts	529,500
14	Agricultural Loan Fund	10,000

1	State Corporation Receipts	225,300
2	Fish and Game Fund	140,000
3	Science and Technology Endowment Income	6,300
4	Highway Working Capital Fund	184,700
5	International Airports Revenue Fund	401,300
6	Public Employees Retirement Fund	33,400
7	Second Injury Fund Reserve Account	1,700
8	Disabled Fishermans Reserve Account	2,000
9	Surplus Property Revolving Fund	2,300
10	Teachers' Retirement System Fund	28,300
11	Veterans' Revolving Loan Fund	5,700
12	Commercial Fishing Loan Fund	17,400
13	Real Estate Surety Fund	1,000
14	Judicial Retirement System	400
15	National Guard Retirement System	300
16	Training and Building Fund	15,200
17	Permanent Fund Dividend Fund	58,400
18	Oil and Hazardous Substance Response Fund	217,500
19	Small Business Loan Fund	600
20	Tourism Revolving Loan Fund	700
21	Capital Improvement Project Receipts	1,145,100
22	Power Project Loan Fund	400
23	Housing Assistance Loan Fund	24,600
24	Rural Electrification Revolving Loan Fund	100
25	Mining Revolving Loan Fund	2,800
26	Child Care Revolving Loan Fund	600
27	Historical District Revolving Loan Fund	200
28	Fisheries Enhancement Loan Fund	4,000
29	Alternative Energy Revolving Loan Fund	3,200
30	Residential Energy Conservation Loan Fund	3,100
31	Power Development Revolving Loan Fund	8,700

1	Bulk Fuel Revolving Loan Fund	700
2	Alaska Clean Water Loan Fund	1,100
3	Alaska Marine Highway Fund	65,100
4	Gifts, Grants, and Bequests	1,300
5	Storage Tank Assistance Fund	6,300

6 * Sec. 2. (a) The sum of \$1,897,000 is appropriated from the general fund to the University of
 7 Alaska to pay salary adjustments in accordance with the compensation policy of the board of regents for
 8 the period January 1, 1992, through June 30, 1992.

9 (b) The sum of \$27,000 is appropriated from the general fund to the University of Alaska to pay
 10 salary adjustments to employees of the Prince William Sound Community College who have not received
 11 salary increases during the last four years because of a collective bargaining dispute.

12 * Sec. 3. The sum of \$485,200 is appropriated from the general fund to the Alaska State Legislature
 13 to pay a 3.57 percent cost-of-living salary adjustment for legislative-branch employees for the period
 14 January 1, 1992, through June 30, 1992.

15 * Sec. 4. The sum of \$583,100 is appropriated from the general fund to the Alaska Court System to
 16 pay a 3.57 percent cost-of-living salary adjustment for court system employees for the period January
 17 1, 1992, through June 30, 1992.

18 * Sec. 5. The sum of \$376,200 is appropriated to the Office of the Governor, office of management
 19 and budget, to pay the 3.57 percent cost-of-living salary adjustment for the Alaska marine highway
 20 maritime bargaining units for the period April 1, 1992 through June 30, 1992, from the following
 21 sources:

22	General Fund	\$163,500
23	Alaska Marine Highway System Fund	212,700

24 * Sec. 6. The sum of \$90,600 is appropriated from the general fund to the Department of
 25 Transportation and Public Facilities, Alaska marine highway system, to satisfy the monetary terms of
 26 the collective bargaining agreement with the Marine Engineers Beneficial Association for the fiscal year
 27 ending June 30, 1991.

28 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

HOUSE BILL NO. 565

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 3/18/92

Referred: State Affairs, Finance

Funding Information: General Fund \$ ~~9,644,600~~

Other Funds 4,744,600

~~\$14,389,200~~9,644,627.
14,389,221.

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations for contract settlement costs for public employees who are
2 members of collective bargaining units, and for salary adjustments for public employees
3 who are not members of a bargaining unit; and providing for an effective date."

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

5 * Section 1. The sum of \$10,957,100 is appropriated to the Office of the Governor, office of
6 management and budget, to pay a 3.57 percent cost-of-living salary adjustment for executive-branch
7 employees for the period January 1, 1992 through June 30, 1992, from the following sources:

8	Federal Receipts	\$1,382,600
9	General Fund Match	323,000
10	General Fund	5,568,627 5,568,627.
11	General Fund/Program Receipts	364,300
12	General Fund/Mental Health	169,300
13	Inter-agency Receipts	529,500
14	Agricultural Loan Fund	10,000

1	State Corporation Receipts	225,300
2	Fish and Game Fund	140,000
3	Science and Technology Endowment Income	6,300
4	Highway Working Capital Fund	184,700
5	International Airports Revenue Fund	401,300
6	Public Employees Retirement Fund	33,400
7	Second Injury Fund Reserve Account	1,700
8	Disabled Fishermans Reserve Account	2,000
9	Surplus Property Revolving Fund	2,300
10	Teachers' Retirement System Fund	28,300
11	Veterans' Revolving Loan Fund	5,700
12	Commercial Fishing Loan Fund	17,400
13	Real Estate Surety Fund	1,000
14	Judicial Retirement System	400
15	National Guard Retirement System	300
16	Training and Building Fund	15,200
17	Permanent Fund Dividend Fund	58,400
18	Oil and Hazardous Substance Response Fund	217,500
19	Small Business Loan Fund	600
20	Tourism Revolving Loan Fund	700
21	Capital Improvement Project Receipts	1,145,100
22	Power Project Loan Fund	400
23	Housing Assistance Loan Fund	24,600
24	Rural Electrification Revolving Loan Fund	100
25	Mining Revolving Loan Fund	2,800
26	Child Care Revolving Loan Fund	600
27	Historical District Revolving Loan Fund	200
28	Fisheries Enhancement Loan Fund	4,000
29	Alternative Energy Revolving Loan Fund	3,200
30	Residential Energy Conservation Loan Fund	3,100
31	Power Development Revolving Loan Fund	8,700

1	Bulk Fuel Revolving Loan Fund	700
2	Alaska Clean Water Loan Fund	1,100
3	Alaska Marine Highway Fund	65,100
4	Gifts, Grants, and Bequests	1,300
5	Storage Tank Assistance Fund	6,300

6 * Sec. 2. The sum of ~~\$1,897,000~~^{\$1,997,027.} is appropriated from the general fund to the University of Alaska
7 to pay salary adjustments in accordance with the compensation policy of the board of regents for the
8 period January 1, 1992, through June 30, 1992.

9 * Sec. 3. The sum of \$485,200 is appropriated from the general fund to the Alaska State Legislature
10 to pay a 3.57 percent cost-of-living salary adjustment for legislative-branch employees for the period
11 January 1, 1992 through June 30, 1992.

12 * Sec. 4. The sum of \$583,100 is appropriated from the general fund to the Alaska Court System to
13 pay a 3.57 percent cost-of-living salary adjustment for court system employees for the period January
14 1, 1992, through June 30, 1992.

15 * Sec. 5. The sum of \$376,200 is appropriated to the Office of the Governor, office of management
16 and budget, to pay the 3.57 percent cost-of-living salary adjustment for the Alaska marine highway
17 maritime bargaining units for the period April 1, 1992 through June 30, 1992, from the following
18 sources:

19	General Fund	\$163,500
20	Alaska Marine Highway System Fund	212,700

21 * Sec. 6. The sum of \$90,600 is appropriated from the general fund to the Department of
22 Transportation and Public Facilities, Alaska marine highway system, to satisfy the monetary terms of
23 the collective bargaining agreement with the Marine Engineers Beneficial Association for the fiscal year
24 ending June 30, 1991.

25 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

WALTER J. HICKEL
GOVERNOR

HB 565

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 18, 1992

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making appropriations to pay the costs of a 3.57 percent cost-of-living salary adjustment for public employees, and certain other contract settlement costs.

The appropriations in secs. 1 - 5 of the bill are for salary adjustment costs during the period January 1, 1992 through June 30, 1992. The appropriation in sec. 6 of the bill is to pay certain fiscal year 1991 contract settlement costs.

Sincerely,



Walter J. Hickel
Governor



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: March 27, 1992

PLACE: Capitol Room #102

SUBJECT OF MEETING:

HB 420-Relating to Contracting for Care of Prisoners
 HB 528-Relating to Public Works Contr/Wage Increases
 HB 565-Relating to Approp: Contract Settlement Costs
 HJR 3 -Relating to Change Terms of Rep's to 4 Years
 SB 185-Relating to Legislative Ethics
 Confirmation Hearing for Nancy Bear Usura

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Mike Mc Mullen	DOA	Box 11 029	99811		465-4420	Quest. <input checked="" type="radio"/> Y	HB 565
John A. Abshire	DOH	Juneau	99811		465-2700	Quest. <input checked="" type="radio"/> Y	CS HB 528
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: April 1, 1992

PLACE: Capitol Room #102

SUBJECT OF MEETING:
 HB 171-Relating to Prohibit Sealing of Certain Court Records
 HB 528-Relating to Public Works Contr/Wage Increases
 HB 404-Relating to Filing Deadline for Certain Candid
 *HB 564-Relating to Salaries for Non-Covered State Employees
 HB 565-Relating to Approp: Contr. Settlement Costs

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
John Abshize	DOA	Juneau		465-2700		Quest. <input checked="" type="radio"/> Y N	#528
Kathryn Folchobst	lawyers for civil justice	Juneau		997-0047		<input checked="" type="radio"/> Y N	171
Mike McMullen	DOA	Box 110201 Juneau, AK	99811	465-4433	465-4430	Quest. <input checked="" type="radio"/> Y N	HB 564, 565
Laura Glaiser	Directors	PO Box 110017 Juneau	99811	4614		<input checked="" type="radio"/> Y N	HB 404
Cheryl Frasca	OMB					<input checked="" type="radio"/> Y N	HB 564, 565
MARY NORIS AUB	Sen. Jus. Area	PO Box 21211, Juneau	99802	586-5346		<input checked="" type="radio"/> Y N	HB 171
FASS Winner		900 W 5th Ave, Ste 700 Anch AK 99501		272-0313	277-9522	<input checked="" type="radio"/> Y N	HB 171
Hayden Kaden	Rep. Douky + Assoc. Justice	Rm. 120 - St. Cap.			4990	<input checked="" type="radio"/> Y N	HB 171
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: March 23, 1992

PLACE: Capital Room 102

SUBJECT OF MEETING:
 HB 348-Relating to Grp Health & Life Insur.: State Empl
 HB 507-Relating to LBC Annexation Proposals
 *HB 565-Relating to Approp: Contr. Settlement Costs
 HJR 3 -Relating to Change Terms of Represen.to 4 Yrs
 *HJR 72-Relating to Compensation for Legislators
 SB 337-Relating to Retirement Incentive Programs
 HJR 63-Relating to Support Military at Ft Richardson

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ Sandra Wicks	DORA				4750	(Y) N	if needed on HB 507
Jerry Burnett	R. Phillips			482	4949	(Y) N	if needed HJR 63
W. L. ...	SOA				2208	Y (N)	HB 348 / SB 337
✓ DON KOCH	DN OF INSURANCE	P.O. Box 110805 IN.	99811		2577	ANSWER (Y) N	HB 348
✓ Sally ...	OMB				5528	(Y) N	SB 337
✓ Cheryl ...	OMB					(Y) N	HB 565
Mike Mc Miller	Admin					Y (N)	HB 565
✓ Dawn ...	Admin				4404	Y (N)	
✓ Ben Jim Dunbar						Y N	
✓ Rep Randy Phillips						Y N	
						Y N	

H B

5 6 8

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 8, 1992

FURTHER REFERRALS:

Date of Committee Action: 4/24/92

The STATE AFFAIRS Committee considered:

HB 568

HOUSE BILL NO. 568

APPOINTMENT OF WORKERS' COMP DIRECTOR

"An Act relating to the appointment of the person who administers laws relating to workers' compensation."

RECOMMENDATIONS:

be replaced with CS HB 568 (STA) the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) Dept of LABOR 4/8/92

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene G. Kubina</i>	+	<i>David ...</i> <small>CHOQUETTE</small>		✓	
<i>H. ...</i> <small>ROGNER</small>	✓	<i>...</i> <small>BAKER</small>			
...					
<i>...</i> <small>BECKMAN</small>					
<i>...</i> <small>LEWIS, HEAL</small>	-				

Eugene G. Kubina
 CHAIRMAN'S SIGNATURE

M E M O R A N D U M

To: All Staff
Workers' Compensation Division

Date: March 27, 1992

C.W. Mahlen
From: C.W. Mahlen, Commissioner
Department of Labor

Re: Delegation of
Authority

This memorandum is a clarification of this morning's memo on the Workers' Compensation Division.

To assure that the memorandum is not construed as the replacement of Linda Rexwinkel as Director, I will repeat that Linda will continue in her position pending the outcome of the Senate Labor and Commerce fact-finding hearings and my own internal review. To facilitate that internal review and allay any fears of unfounded allegations or unfair actions of any sort, all decisions concerning the Division will be coordinated in my office through John Abshire, my Deputy Commissioner.

It is important that we allow the hearings to proceed without prejudice and to withhold our judgment until all the facts are on the table.

Deputy Commissioner Abshire has already been serving as Chairman of the Workers' Compensation Board, and I have designated him as my permanent representative on the board.

cc: Division Directors
Lynda McCurry, Personnel Officer

STATE OF ALASKA

MEMORANDUM

To: C. W. Mahlen
Commissioner
Dept of Labor

Date: March 25, 1992

From: *LR* Linda Rexwinkel
Director
Workers' Compensation

Subject: Project management
Corrective action

For the last few weeks, activities relating to Workers' Compensation have been discussed at length in the press. The controversy surrounds the role of the director, role of the board and hearing officers and division policy regarding information requests.

Since my appointment, a year ago, I have implemented policy as communicated to me by the commissioner's office. In regards to budget reductions, I have dealt with them in a manner approved by the commissioner's office. Additionally, I have proposed a budget for this next fiscal year based on directions from the commissioner's office. I assumed absent any directive to the contrary, that I was to continue operating under those directives.

I am aware of the fact that there has been a substantial amount of communication both verbal and written both in support and in opposition to the division activities. The situation due to the press coverage and indecisiveness has provided all parties an opportunity to exploit the situation. Unless action is taken, the controversy will continue, resulting in chaos. In our conversation last evening, you stated that I was doing a good job. The question is then how do we convey that thought to both staff, the board and the public.

I have given the situation a great deal of thought and would request you consider the following remedial actions:

- The roles of the Commissioner, Director, staff, and the Board should be defined. Each should be reviewed as to their authorities and delegations with regards to budget, administration, policy, adjudications. I recommend an attorney general opinion.
- A definition of management perogatives should be delineated and communicated to all parties.
- A clear, precise mechanism should be defined for policy implementation and communicated and agreed to by all parties.
- There should be support from the Commissioner's office to reinforce the administrative authority of the Director as the Commissioner's designee as defined in the attorney general opinion.
- Communication is important in all situations. The commissioner's office should be apprised of all aspects surrounding an issue. Prior to action on any issue the facts should

be compiled, a comparison be made against policy and after the analysis, a decision rendered.

I believe that I have carried out the goals of this administration as communicated to me. I enjoy my work and believe that I have done a good job. I want to work with you to address this current situation so that the Workers' Compensation Division may continue to provide prompt and appropriate benefits to injured workers in the most efficient and economical fashion possible.

STATE OF ALASKA

MEMORANDUM

TO: Steve Hole
Deputy Chief of Staff
Office of the Governor

DATE: April 13, 1992

FROM: Linda A. Rexwinkel, Director
Division of Workers' Comp
Department of Labor

RE: Allegations of Interference
Edgar Stephens v. ITT/Felec

Attached is my affidavit regarding the above entitled case.

There are several items that concern me regarding the actions of the hearing officers in Fairbanks. It appears that the situation is now out of control and I have no authority to issue direction to hearing officers under my direct supervision without being accused of improprieties, interference in the judicial process, or retaliation.

At Fred Brown's direction, the employer's attorney was contacted and told that if they paid the \$1,000 IME charge, in exchange, he would not ask the attorney general to intervene against the employer's request for a stay of the board's order. In my opinion, this is a direct attempt to coerce the employer and does not afford any due process. Under the circumstances, Attorney Tesche's decision to call this a "settlement offer" is extremely generous. Mr. Brown only advised us about his offer after Assistant Attorney General Toby Stainberger had been contacted by Attorney Tesche and we began an inquiry. Mr. Brown's defense seems to be that he could have ordered the IME under AS 23.30.110(g). That is true, however, the reality is that he didn't, he wrote the D&O under authority of AS 23.30.095(k) and failed to address the remand by the Superior Court on that issue. Instead, the D&O of April 2, 1992 included irrelevant editorial comments about the Division Director.

Exception is also taken to comments made by some hearing officers and board members regarding the dysfunctional status of the division. The division work continues without interruption. Any alleged whispered conversations, furtive telephone calls, and electronic mail between employees is limited to the disgruntled employees. The majority of the employees continue to work diligently.

I believe the following course of action should be taken:

1. Mr. Brown should be sanctioned for this attempt at coercion and reflected in a future evaluation.

2. The D&O of April 2, 1992 should be withdrawn and reissued to address the remand of the Superior Court. I am not aware of any board precedence for this action but the practice is known in the Superior and Supreme Courts. This D&O was obviously held and released to coincide with the Senate Labor and Commerce hearing of April 6, 1992. As you may be aware, the Senate hearing was canceled and moved to House Labor and Commerce. Chairman Finkelstein stated the issues presented by the hearing officers were procedural rather than judicial interference and should not be addressed by the legislature.

3. My March 27, 1992 memorandum (copy attached) to the Commissioner requesting an Attorney General's opinion on the duties and authorities of the director, board members and hearing officers should be forwarded immediately. This will settle the confusion on the part of the board members who believe they are an administrative board rather than an advisory board.

4. Hearing officers should be cautioned about inappropriate advise and inflammatory comments to board members.

Thank you for taking the time to become involved in this very difficult situation. I would like to bring this situation under control as swiftly as possible and put behind us so that employees and employers are assured of a fair and timely hearing.

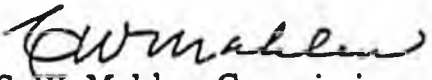
Post-It™ brand fax transmittal memo 7671 # of pages ▶

To	Annale	From	
Co.		Co.	
Dept.		Phone #	
Fax #	465-2287	Fax #	

MEMORANDUM STATE OF ALASKA

TO: Linda Rexwinkel, Director
Division of Workers'
Compensation

DATE: April 14, 1992

FROM: 
C. W. Mahlen, Commissioner
Department of Labor

PHONE: 465-2700

SUBJECT: Division authority

This is in response to your memoranda concerning the role of the director and the board in implementing the provisions of the Alaska Workers' Compensation Act. Recently, the responsibility for the operation of the Division of Workers' Compensation has been delegated to the Deputy Commissioner in order to provide me the opportunity to evaluate the operation of the division first hand.

The director's authority comes from the duties and responsibilities designated to the commissioner and the department in the Act. I will review the duties and responsibilities of the commissioner and the department to determine the appropriate role of the director. Specific concerns addressed in your memoranda will be answered in the course of my evaluation.

Additionally, you indicated that you were operating under policy directives from the Commissioner's Office. Those directives were issued prior to my assuming the position of Commissioner. During my evaluation of the operation of the division and my review of the provisions of the Workers' Compensation Act, I will determine appropriate policies and procedures concerning the Division of Workers' Compensation. You will be informed of policies and procedures as they are developed.

I have been aware that there were problems in the operation of the division since my appointment. When the majority of the people that a manager deals with are not happy it is an evaluation of the manager's ability to manage. I have seen very little support from your staff, the Hearing Officers, the Workers' Compensation Board or the attorneys who deal with workers' compensation.

As you stated, I did say that you appeared to be doing a good job as far as knowing the operation of your division and living within your budget. I also indicated my concern that there seemed to be a lot of conflict in your division. Though I have not determined that you acted illegally, I am concerned that you did use poor judgement in dealing with your staff, the Hearing Officers, the Board and the public that you serve.

Please note that, as Commissioner of the Department of Labor, my concern is for the integrity of the workers' compensation system as established in law. Please work with me to ensure that the reputation of this system is not compromised while we are dealing with the publicity of the controversy resulting from your management of the division.

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 8, 1992

FURTHER REFERRALS:

Date of Committee Action: 4/24/92

The STATE AFFAIRS Committee considered:

HB 568

HOUSE BILL NO. 568

APPOINTMENT OF WORKERS' COMP DIRECTOR

"An Act relating to the appointment of the person who administers laws relating to workers' compensation."

RECOMMENDATIONS:

be replaced with P.S HB 568 (STA)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal impact _____

fiscal note(s) Dept of LABOR 4/8/92

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene G. Kubera</i>	<input checked="" type="checkbox"/>	<i>David Choquette</i> CHOQUETTE		<input checked="" type="checkbox"/>	
<i>Thomas Baker</i>	<input checked="" type="checkbox"/>	<i>Tom Baker</i> BAKER			

<i>E. Bruckman</i> BRUCKMAN					
<i>W. G. ...</i> GUNZENBERG					

Eugene G. Kubera
CHAIRMAN'S SIGNATURE

100 27 792 13:26 1E31 1747 FAIRBANKS

00:27-1992 10:00

P.1 P. 1

Post-It brand fax transmitted memo 7671	
To: J. Smith	From: M. McKenna
Co: Educators	Co: Teacher
Dist:	Phone:
562-2587	227-1164

MARCH 27, 1992

Mr. G.H. Mahlen
Commissioner
State of Alaska, Department of Labor
P.O. Box 11149
Juneau, Alaska 99802-1149

Dear Commissioner Mahlen:

The situation regarding the Director of the Division of Workers Compensation, Linda Rexwinkel, has reached the point of intolerance. The merit, or lack of merit, to the charges by all parties is overwhelmed by the devastating negative impact to the division. It appears Director Rexwinkel does not comprehend the near term and long term damage this debacle has caused the workers compensation system. If she did and truly had the best interests of the State and Division at heart, she would step aside. Instead in a vain attempt to save face, she refuses to resign further compounding and complicating the problem.

It matters not at this point, who is right or wrong. The damage already done to the credibility of the workers' compensation system is immense by any standard. To allow this situation to continue is unthinkable. There is but one solution - the Director MUST be removed from the department.

We, the undersigned members of the Workers' Compensation Board, demand the dismissal of the Director effective immediately.

John Michalski
Stephen M. Thompson
Michael DeKunio
Robert W. Mottel
S. J. Hagan

Don [Signature]
[Signature]

cc: Linda Rexwinkel
Governor Rickel
Senator Bruce Pearce
Representative Dave Donley

RECEIVED
Department of Labor

APR 3 1992

Office of the Commissioner

ALASKA STATE PRINTING DIVISION

(7)

HOUSE COMMITTEE REPORT

Date Referred: March 25, 1992

FURTHER REFERRALS:

State Affairs

Date of Committee Action: 4-7-92

The LABOR AND COMMERCE Committee considered:

HB 568

HOUSE BILL NO. 568

APPOINTMENT OF WORKERS' COMP DIRECTOR

"An Act relating to the appointment of the person who administers laws relating to workers' compensation."

RECOMMENDATIONS:

be replaced with _____ [] the same title

[] have attached amendments(s) [] a new title

do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact Labor

[] fiscal note(s) _____

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>		<i>Kevin Pat Kaneel</i>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				

REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE
DISTRICT ELEVEN
SEAT A

3111 "C" STREET, SUITE 450
ANCHORAGE, ALASKA 99503
(907) 561-7629 (FAX) 562-4376

ALASKA LANDINGS • BENTZEN • BIRCHWOOD • CHESTER CREEK • HEATHER MEADOWS • LINCOLN PARK • MIDTOWN • NORTHSTAR
NORTHWOOD • ROMIG • ROOSEVELT PARK • SPENARD • THOMPSON • TURNAGAIN • WINDEMERE • WOODLAND PARK



CHAIRMAN
JUDICIARY COMMITTEE

VICE CHAIRMAN
REGULATION REVIEW COMMITTEE

MEMBER
RULES COMMITTEE
LABOR AND COMMERCE COMMITTEE

MEMORANDUM

TO: Members of the House Labor and Commerce Committee

FROM: Representative Dave Donley ^B

RE: HB 568, Appointment of the Workers' Compensation Director

DATE: April 7, 1992

Thank you for hearing HB 568, an act relating to the appointment of the Workers' Compensation Director.

In an attempt to clarify the relationship between the Workers' Compensation Board and the Workers' Compensation Division, the House Judiciary Committee introduced this legislation to provide the Board the authority to appoint and remove the Division Director.

The Director of Workers' Compensation has stated she wants legal opinions clarifying Board powers. This legislation is intended to clarify those powers by providing that the Division Director serves at the pleasure of the Board.

This legislation was sparked by the ongoing controversy over the recent operations of the Workers' Compensation Division. The present state of unrest in the division and between the Board and the Director has put into question the ability of the Board and the Director to optimally serve the public. This controversy indicates a need for a change in the present system to ensure the Board and Director are compatible.

JUNEAU OFFICE

(During Legislative Session January through May)

P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3892 (FAX) 463-5661



Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

MEMORANDUM

TO: Members of the State Affairs Committee

FROM: Representative Dave Donley *DB*

RE: HB 568, Appointment of the Workers' Compensation Director

DATE: April 21, 1992

Thank you for hearing HB 568, an act relating to the appointment of the Workers' Compensation Director.

In an attempt to clarify the relationship between the Workers' Compensation Board and the Workers' Compensation Division, the House Judiciary Committee introduced this legislation to provide the Board the authority to appoint and remove the Division Director.

The Director of Workers' Compensation has stated she wants legal opinions clarifying Board powers. This legislation is intended to clarify those powers by providing that the Division Director serves at the pleasure of the Board.

This legislation was sparked by the ongoing controversy over the recent operations of the Workers' Compensation Division. The present state of unrest in the division and between the Board and the Director has put into question the ability of the Board and the Director to optimally serve the public. This controversy indicates a need for a change in the present system to ensure the Board and Director are compatible.

DD/jmn

BILL NO: House Bill No. 568

DATE: April 2, 1992

TITLE: Appointment of Workers'
Compensation Director

CONTACT: Arbe Williams
465-2700

House Bill No. 568 amends the Alaska Workers' Compensation Act to include as part of the duties and responsibilities of the Workers' Compensation Board the ability to appoint an administrator of the Act. However, the bill does not redefine the department's function or the board's function as described in the Act.

The Alaska Workers' Compensation Act assigns specific and separate responsibilities for the department, the commissioner and the board. Additional amendments to the statutes are required in this legislation to clarify the reassignment of duties and responsibilities.

In addition, the bill removes responsibility for the administration of the Division of Workers' Compensation from the department, usurping the commissioner's prerogative to manage the operation of the department.

The Department of Labor does not support this legislation.

APPROVED:



C. W. Mahlen, Commissioner
Department of Labor

POSITION PAPER/Department of Labor

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO : HB 568

Revision Date: _____
 Title: "An Act relating to the appointment ... person who administers ... workers' compensation."
 Sponsor: House Judiciary
 Requestor: House Labor & Commerce

Department Affected: Labor
 BRU: Workers' Compensation
 Component: Workers' Compensation
COMPONENT SERIAL NO. 344

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	74.8	74.8	74.8	74.8	74.8	74.8
TRAVEL						
CONTRACTUAL	1.0	1.0	1.0	1.0	1.0	1.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	6.5					
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	83.3	76.8	76.8	76.8	76.8	76.8

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	83.3	76.8	76.8	76.8	76.8	76.8
FEDERAL FUNDS						
OTHER						
TOTAL	83.3	76.8	76.8	76.8	76.8	76.8

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

This bill would create a position to administer the provisions of the Workers' Compensation Act which would report to and serve at the pleasure of the Workers' Compensation Board.

Prepared by: John Abshire, Deputy Commissioner Phone: 465-2700
 Division: Commissioner's Office Date: 4/7/92
 Approved by Commissioner: C. W. Mahlen
 Agency: Department of Labor Date: 4/7/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Position Title Board Administrator		No. of Positions 1	Range/Step 22A	Barg. Unit XE
Time Status Full Time	Staff Months 12	Location Juneau		Election District 4
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	\$55,200			
Benefits	19,600			
Premium Pay				
Other				
Total Personal Services		\$74,800		
Travel				
Contractual		1,000		
Commodities		1,000		
Equipment		6,500		
Other				
Total Cost		\$83,300		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	\$83,300		
GF Program Receipts	1005			
Other				

This position will administer the provisions of the Workers' Compensation Act and will report to the Workers' Compensation Board.

Contractual costs include postage, phone, and other average per employee costs.

Commodities cover normal office supplies for this position.

Equipment is for a desk, chair, personal computer, and printer. These are one time costs.

**Request For
New Position**

Agency Labor
 BRU Workers' Compensation
 Component Workers' Compensation

Page 2 of 2

Revised Date

FY 92

Comments / Action
LWM
ARBE
Comm

STATE OF ALASKA

MEMORANDUM

To: C. W. Mahlen
Commissioner

Date: March 27, 1992

From: *LR* Linda Rexwinkel
Director
Workers' Compensation

Subject: Attorney General opinion

In 1947 the Alaska Industrial Board consisted of the Commissioner of Labor, Insurance Commissioner and the Attorney General. The Alaska Industrial Board was replaced in 1959 by the Alaska Workers' Compensation Board. The board consisted of the commissioner of labor, one member each of industry and labor, appointed by the Governor.

- AS 44.32.010 Commissioner of Labor. The principal executive officer of the Department of Labor is the commissioner of labor.
- AS 44.31.020 Duties of the Department
(3) the Department of Labor shall operate systems of workers' compensation.

Since the designation of the Alaska Workers' Compensation Board, the director director has been the designated representative of the commissioner of labor. This precedent has been established and followed by former director directors through Jacqueline McClintock. Until she became ill, she regularly exercised her authority as chairman and executive officer of the board by directing all aspects of the administration of the division and by signing compromise and releases (C&R) as chairman of the board. During her illness, she delegated the signing of C&Rs to hearing officers.

Based on the delegations from the commissioner, for purposes of AS 23.30.005, the division director is the designated representative of the commissioner of labor, therefore, the division director is the chairman and executive officer of the Alaska Workers' Compensation Board.

- AS 23.30.005 Alaska Workers' Compensation Board. (a)...Each panel must include the commissioner of labor or the designated representative of the commissioner, a representative of industry, and a representative of labor. The latter two members of each panel shall be appointed by the governor and are subject to confirmation by a majority of the members of the legislature in joint session.
(b)The commissioner shall act as chairman and chief executive officer of the board and chairman of each panel. If the chairman designates a representative to act for the commissioner, the representative shall serve in that capacity on the board and on each panel.

The director has the authority to direct the day-to-day administration of policy, procedures,

budgets, expenditures, hiring, transferring or terminating employees of the director. As the chairman of the board, the director may delegate the chairing of the board panels for the sole purpose of holding hearings and writing decisions. This delegation is made to the hearing officers in each venue. The hearing officers are state employees of the division and are paid by the State.

- AS 44.17.010 Delegations and functions. The principal executive officer of each state department may assign the functions vested in the department to subordinate officers and employees.
- AS 44.17.020 Divisions. The principal executive officer of each department may, with the approval of the governor, establish divisions or other administrative or organization units within the department in the interests of economy and efficiency and in accord with sound administrative principles and practices.
- AS 37.07.080 Program execution. (a) except as limited by policy decisions of the governor, appropriations by the legislature, and other provision of the law, the several state agencies have full authority for administering their program service assignments and are responsible for their proper management.
(b) each state agency shall prepare an annual plan for the operation of each of its assigned programs except for programs that are exempted from this requirement by the office.
(d) a state agency may not . . . expend money or incur obligations except in accordance with law and properly approved operations plan.
- AS 44.62.640(a)(4) state agency means department, office, agency, or other organizational unit of the executive branch, except one expressly excluded by law, but does not include an agency in the judicial or legislative branches of the state government.
- AS 44.62.640(b)(1) agency includes the state boards, commissions and officers listed in AS 44.62.330 and those to which this chapter is made applicable by law or executive order involving reorganization under the constitution. (see AS 44.62.330(15))

The board by statute has adjudicative authority as specifically granted within AS 23.30. The only administrative authority the board has, resides in approval of department regulations prior implementation. The board has no budget and does not pay wages.

- AS 23.30.005(h) The department shall adopt rules for all panels, and procedures for the periodic selection
- AS 23.30.005(i) The department may adopt regulations concerning the medical care provided for in this chapter.
- AS 23.30.005(l) Regulations adopted by the department under (h) and (i) of this section become effective only after approved by a majority of the full board.

I request an Attorney General opinion be solicited to provide a clarification of the roles of the commissioner, director, hearing officers, chief of adjudications, and the AK Workers' Compensation Board on the basis of statutes cited above as well as other citations or authorities as may be relevant. The roles should be defined as regards: administrative authority, including but not limited to budget, personnel, policy directives and implementation; adjudicative authority, including but not limited to the role of hearing officers as designees of the commissioner on the panels, hearing officer supervision, hearing officer responsibilities and accountability, and relationship to the chief of adjudications.



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: April 22, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:
 SB 185 - Relating to Legislative Ethics
 HB 568 - Relating to Appointment of Workers' Compensation Director

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
John A. Abshine	DOL	Juneau			2700	<input checked="" type="radio"/> Y	<input type="radio"/> N	568
Brooke Miles	APOC	PO Box 110222	99811		4864	<input checked="" type="radio"/> Y	<input type="radio"/> N	SB 185 Answer Questions
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
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						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	