

ALASKA ADMINISTRATIVE JOURNAL
OFFICE OF THE LIEUTENANT GOVERNOR

ISSUE 27, July 5, 1999

GENERAL INFORMATION

The Alaska Administrative Journal is an official publication of the State of Alaska, issued weekly, under the authority granted to the Lieutenant Governor by AS 44.62.175. The State of Alaska, Office of the Lt. Governor, complies with Title II of the Americans with Disabilities Act of 1990. This publication is available in alternative communication formats upon request. For general information regarding the AAJ, contact the Lt. Governor's Office at (907) 465-3520; Carol Collins. The internet address is <http://www.gov.state.ak.us/lsgov>.

Information for this publication is compiled alphabetically by agency and by the following categories:

- Adopted Regulations -Text or Summary of Text
- Agency Meetings
- Attorney General's Opinions
- Boards and Commissions
- Competitive and Other Solicitations
- Delegations of Authority
- Executive Orders and Administrative Orders
- Grants
- Notices of Proposed Regulations
- Public Notices
- Regulations Filed by the Lieutenant Governor

Attorney General Opinions

Computerized access to summaries of Attorney General Opinions is available. Instruction material can be obtained by calling the Civil Office of the Department of Law in Juneau at (907) 465-3600. This report contains summaries of recently indexed Attorney General Opinions by the Department of Law.

Boards and Commissions

A list of the vacancies of boards, commissions and other bodies whose members are appointed by the governor.

New Regulations

A list of new regulations filed by the Lieutenant Governor for publication in the most recent register (supplement) to the Alaska Administrative Code.

Administration: Competitive & Other Solicitations**Invitation To Bid #2163****Publish Date:** 06/29/99**Archive Date:** 07/12/99**Location:** Nome**Body of Notice:**

Purchase and delivery of various fuels on an as needed basis into state fuel tanks or drums in the Nome, Alaska Region.

Contracting Officer Tom Erickson

Opening date July 11, 1999 @ 1:30 p.m.

Division of General Services, Juneau Office (907) 465-2250

Community & Economic Development: Agency Meetings**Board Of Architects, Engineers And Land Surveyors Meeting****Publish Date:** 06/25/99**Archive Date:** 08/21/99**Location:** Anchorage**Body of Notice:**

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING.

BOARD OF ARCHITECTS, ENGINEERS AND LAND SURVEYORS, (907) 465-2540, Frontier Building, 3601 C Street, Anchorage, AK, August 19, 1999 9:00 a.m.; August 20, 1999, 8:00 a.m. COMITY APPLICATION DEADLINE: Applications and all supporting documents for architect, engineer, and land surveyor comity applicants must be received in the Juneau office no later than August 9, 1999 for consideration at the August 19-20, 1999 board meeting.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Agency Meetings**Board Of Certified Direct-Entry Midwives Meeting****Publish Date:** 06/25/99**Archive Date:** 08/28/99**Location:** Anchorage**Body of Notice:**

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING.

BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES, (907) 465-2580, Frontier Building, 3601 C Street, Suite 336, Anchorage, AK. Meeting is August 26-27, 1999, 9:00 a.m.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic

Development to accommodate your needs.

Community & Economic Development: Agency Meetings
Board Of Chiropractic Examiners Meeting And Examination

Publish Date: 06/25/99

Archive Date: 08/23/99

Location: Juneau

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING & EXAMINATION.

BOARD OF CHIROPRACTIC EXAMINERS MEETING, (907) 465-2589, Centennial Hall Hammond Room, 101 Egan Dr., Juneau, AK. Meeting is August 21-22, 1999, 9:00 am.

BOARD OF CHIROPRACTIC EXAMINERS EXAMINATION, (907) 465-2589, Juneau. Examination, August 22, 1999; application deadline July 8, 1999.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Agency Meetings
Board Of Psychologist And Psychologist Associates Meeting

Publish Date: 06/25/99

Archive Date: 09/03/99

Location: Anchorage

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING.

BOARD OF PSCHOLOGIST AND PSYCHOLOGICAL ASSOCIATES, (907) 465-3811, Frontier Building, Suite 700, Anchorage, AK. Meeting is September 1-2, 1999, 9:00 a.m.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Agency Meetings
Meeting Of The Board Of Public Accountancy

Publish Date: 06/25/99

Archive Date: 07/31/99

Location: Fairbanks

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING.

BOARD OF PUBLIC ACCOUNTANCY, (907) 465-2580, Fairbanks Regional Office Building, 675 7th Ave. Station H, Fairbanks, AK, 7/29/99 9:00a.m.; 7/30/99 8:00 a.m.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Agency Meetings
State Medical Board Meeting

Publish Date: 06/25/99

Archive Date: 08/07/99

Location: Sitka, Southeast
Region

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING MEETING.

STATE MEDICAL BOARD, (907) 465-2541. Meeting is August 5-6, 1999, SEARHC Mt Edgecumbe Hospital, Directors' Conference Room (check lobby directory), 222 Tongass Dr., Sitka, AK, 9:00 a.m.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Competitive & Other Solicitations
Recruitment for ASMI Export Program Director Position

Publish Date: 06/25/99

Archive Date: 07/20/99

Location: Juneau

Body of Notice:

The Alaska Seafood Marketing Institute is seeking candidates for the position of Export Program Director. ASMI staff are State of Alaska employees with an excellent benefits package. Position manages a generic overseas Alaska seafood marketing program which is federally funded.

**** Job Description *** EXPORT MARKETING DIRECTOR *** Bellevue, Washington ****

DUTIES: · Responsible for securing funding from the federally-funded Market Access Program (MAP) for purposes of increasing purchase and awareness of wild Alaska salmon in designated international markets

- Provide strategy, direction and oversight, in concert with ASMI's Board of Directors and Export Promotion Committee, for all international programs
- Oversight and preparation of annual application and activity plan and subsequent execution of all activities
- Oversight and preparation of export program budget
- Supervision of staff and contractors (ASMI staff, trade liaisons, advertising agencies, research

companies)

- Represents interests of Alaska seafood industry to federal government officials, U.S. Congress and international trade partners
- Interfaces with other U.S. agricultural commodity groups for mutual promotional benefit
- Member of Executive Director's program staff and assists/counsels the Executive Director on special projects/requests

QUALIFICATIONS: Overseas marketing or sales experience, knowledge of the Alaska seafood industry or familiarity with the Alaska seafood species, excellent communication, interpersonal and management skills, computer literate, foreign languages a plus. Position needs a person comfortable in foreign cultures and willing to travel extensively. Based in Bellevue, Washington. Salary DOE.

The deadline for resumes is July 19, interviews will begin July 26. Resumes can be sent or faxed to: Alaska Seafood Marketing Institute, Attn: Ashli Colon, 1111 West 8th St., Rm. 100, Juneau, Alaska 99801-1895, Fax: (907) 465-5572. The State of Alaska is an Equal Opportunity Employer.

Community & Economic Development: Competitive & Other Solicitations
RFP No. AIDEA 99-004 for Investment Consultant

Publish Date: 06/25/99

Archive Date: 07/30/99

Location: Statewide

Body of Notice:

Alaska Industrial Development and Export Authority (AIDEA) and Alaska Energy Authority (AEA), are soliciting detailed proposals from contractors interested in providing the following services: evaluation of the current investment policy, strategies, procedures and asset allocation and recommending changes thereto; monitor and evaluate performance of investment portfolios; assist with portfolio manager structure, selection, monitoring, and evaluation; other investment related projects as requested.

The successful offeror will provide an evaluation of the current investment policy, strategies, procedures and asset allocation and recommend changes; monitor and evaluate performance of investment portfolios; assist with portfolio manager structure, selection, monitoring, and evaluation; and other investment related projects as requested.

A total budget of \$700,000.00 is estimated for the completion of the entire proposed contract term including renewal options. The initial contract term would be five (5) years with the state's option to renew for two additional one-year periods.

RFP and submittal forms will be available on Thursday, July 1, 1999, and may be obtained from the Authority at the address listed below or through mail by telephoning (907) 269-3000 between 8:00 a.m. and 5:00 p.m. ADT, Monday through Friday.

Every Proposer to the RFP must meet the following minimum requirements to be considered responsive to the RFP:

- a. The proposer must be providing investment advisory services to public fund clients at the time of proposal.
- b. The proposer or its affiliates must not provide any money management services.
- c. The proposer shall not be a securities dealer, brokerage firm, or otherwise offer securities for sale to institutional customers in the normal course of business.
- d. The proposer or its affiliates must not require money managers to purchase services from them to be included in manager searches.
- e. Proposers must be registered as investment advisers under the 1940 Investment Advisers Act.
- f. The proposer must utilize a proprietary database for universe comparison analysis.

g. Proposers must be willing to travel to Alaska on an as-needed basis to be determined by AIDEA. Oral presentations in Alaska by the Contractor's personnel are anticipated to be one to two times each year.

Proposers must submit written proposals by 4:00 p.m. prevailing time, July 30, 1999 to:

Alaska Industrial Development and Export Authority
480 West Tudor Road
Anchorage, Alaska 99503-6690
Attn: Curtis D. Sullivan

The State of Alaska, AIDEA and AEA, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this proposal process should contact Ms. Jan E. Farrell, Department ADA Coordinator, at (800) 770-4833 and TDD (907) 465-5437 not later than ten (10) days prior to the proposal due date, to make necessary arrangements. The State of Alaska, AIDEA and AEA, is an Equal Opportunity Employer.

Community & Economic Development: Public Notices

Amended Public Notice Petition To Annex Territory To The City Of Newhalen

Publish Date: 06/24/99

Archive Date: 07/03/99

Location: Dillingham

Body of Notice:

Due to an inadvertent error on the part of the Bristol BayTimes in publishing the original notice, this amended notice is required. A petition for annexation of 351.5 square miles to the City of Newhalen has been filed with the Alaska Local Boundary Commission (LBC). The petition was initiated by voters residing within the City of Newhalen and in the territory proposed for annexation.

A detailed map and description of the area proposed for annexation are provided in the petition. The petition is available for public review Monday - Friday from 9:00 a.m. to 1:00 p.m. at the Newhalen City Offices (telephone: (907) 571-1226). The Petitioners' Representative, Jerry Armstrong, (telephone 907-571-1586) will accommodate requests to review the petition at reasonable times in the evening and on weekend days.

Responsive briefs supporting or opposing the annexation proposal may be filed in accordance with 19 AAC 10.480. Criteria governing annexation to cities are found in 19 AAC 10.090 - 19 AAC 10.150. Other laws relating to the merits of city annexation include Article X, §§ 1 and 5 of Alaska's constitution. Laws governing annexation are available for review at the City of Newhalen's office.

To be considered, responsive briefs and written comments must be received no later than 5:00 p.m., July 2, 1999, by the LBC at 333 West 4th Avenue, Suite 220, Anchorage, AK 99501-2341 [fax: (907) 269-4539 or (907) 269-4520]. Questions and requests for additional information concerning the annexation proposal may be directed to LBC staff at the address, fax numbers and telephone number listed. LBC staff may also be contacted by telephone and e-mail as follows:

Telephone: 907-269-4557
e-mail: gkane@comregaf.state.ak.us

Community & Economic Development: Public Notices

Amendment Of Petition To Annex Territory To The City Of Ketchikan

Publish Date: 06/24/99**Archive Date:** 07/08/99**Location:** Ketchikan**Body of Notice:**

In February 1999, the City of Ketchikan (City) petitioned the Alaska Local Boundary Commission (LBC) to annex the North Tongass Addition, comprising ½ square mile. On May 4, 1999, the Ketchikan Gateway Borough wrote to the LBC that the Ketchikan Gateway Borough Assembly, on behalf of the Shoreline Service Area, opposes the annexation petition as currently formulated, and therefore requests that the petition either be amended to include the entire Shoreline Service Area or be rejected. The Shoreline Service Area board has indicated that it would not oppose the annexation petition if it were amended to annex the entire Shoreline Service Area, but must oppose annexation of only a portion of the service area due to the insignificance of the need for City services in the affected area and the negative impacts on the remaining service area.

In response, the City amended its annexation petition on May 11 to include the entire Shoreline Service Area together with submerged lands extending 1000 feet into Tongass Narrows adjacent to the Shoreline Service District boundary. The expanded area proposed for annexation encompasses an estimated 1.2 square miles. The adjacent map shows the expanded area now proposed for annexation.

Detailed maps and descriptions of the expanded area proposed for annexation are provided in the City's amended petition. A complete set of the amended petition materials is available for public review at the Ketchikan Public Library (open 10 a.m. - 8 p.m., M - W; 10 a.m. to 6 p.m., Th - Sat; and 1 p.m. to 5 p.m., Sun.) and the Office of the City Clerk (open 8 a.m. - noon and 1 p.m. - 5 p.m., M - F). As a convenience to the public, the petition and most (but not all) of the supporting materials are also available on the Internet at: http://www.comregaf.state.ak.us/MRAD_LBC.htm

Responsive briefs supporting or opposing the City's amended annexation proposal may be filed in accordance with 19 AAC 10.480. Informal written comments on the amended petition are also welcome. The legal criteria governing annexation to cities are found in 19 AAC 10.090 - 19 AAC 10.140. A copy of the laws governing annexation is available for review with the petition materials at the Ketchikan Public Library and the Office of the City Clerk.

To be considered, responsive briefs and informal written comments concerning the amended annexation proposal must be received by LBC staff no later than 5:00 p.m., July 7, 1999, at 333 West 4th Avenue, Suite 220, Anchorage, AK 99501-2341 (fax: 907-269-4539 or 907-269-4520). Questions and requests for additional information concerning the City's annexation proposal may be directed to LBC staff at the address or fax numbers above. LBC staff may also be contacted by telephone and e-mail as follows:

Telephone: 907-269-4559

e-mail: DBockhorst@Comregaf.state.ak.us

Community & Economic Development: Public Notices
Continual Licensing Examinations

Publish Date: 06/25/99**Archive Date:** 10/30/99**Location:** Anchorage**Body of Notice:**

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATIONS.

BOARD OF DENTAL EXAMINERS, (907) 465-2542, WREB Examinations. Dental Hygienists, Anesthesia and/or Restorative Examinations. Please contact WREB at (602) 944-3315 for up-to-date information regarding testing sites, dates, and examination packages.

BOARD OF PHARMACY, (907) 465-2589, no set dates. The NAPLEX examination is offered by computer at Sylvan Testing Centers. To sit for the examination, applications must be received 90 days in advance, and must be approved by the board. Upon approval, further instructions for scheduling will be provided.

BOARD OF SOCIAL WORK EXAMINERS, (907) 465-2551, no set dates. Anchorage. The Clinical Social Work examination is offered by computer in Anchorage. To sit for the examination, applicants must be approved by the board. Upon approval, further instructions regarding scheduling will be provided.

REAL ESTATE COMMISSION, (907) 269-8197. There is NO WALK IN TESTING. Reservations must be made at least three working days before the exam. Call 1-800-274-5992 for examination appointment at test centers. Request for petition testing for any other location (other than locations listed below) must be made to the Real Estate Commission office at least 45 days in advance of the exam. ANCHORAGE: Anchorage ASI Center (located at 2213 East Tudor Road, Suite 5) Tuesday through Friday at 5:30 p.m. and Saturday at 8:00 a.m. and 1:00 p.m. FAIRBANKS: Fairbanks ASI Center (located at Eagle Plaza Mall 418 3rd Ave. #18) every Saturday. JUNEAU: Tests are given the first Saturday of May, August and November at the Baranof Hotel.

STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD, (907) 465-3811, no set dates. The Physical Therapist and Physical Therapy Assistant examination is offered by computer. To sit for the examination, applicants must be approved by the board. Upon approval, further instructions regarding scheduling will be provided.

E-mail requests for exam applications may be made to [<mailto:license@dced.state.ak.us>]
>license@dced.state.ak.us]

Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Filing Of Petition For Incorporation Of The City Of Adak

Publish Date: 06/24/99

Archive Date: 07/20/99

Location: Other

Body of Notice:

Resident voters of Adak have petitioned to incorporate a second class city with boundaries encompassing approximately 676.3 square miles.

The petition is available for public review at the Bob Reeve High School display case in Adak. The petition is also available for review at the offices of the Local Boundary Commission staff in Anchorage at the address listed below.

Any person or entity may file a responsive brief or informal written comments supporting or opposing the proposed city incorporation. Responsive briefs must be filed in accordance with 19 AAC 10.480. A person who files a responsive brief (as distinguished from informal comments) gains certain procedural rights during the incorporation proceedings. Comments must be received by Local Boundary Commission staff at the Anchorage address noted below no later than 5:00 p.m., July 20, 1999.

Local Boundary Commission Staff
333 West 4th Avenue, Suite 220
Anchorage, Alaska 99501-2341
Facsimile: (907) 269-4539 or (907) 269-4520
Telephone: (907) 269-4500
e-mail: GKane@comregaf.state.ak.us

Questions and other matters concerning the proposed incorporation or procedures may be directed to Local Boundary Commission staff at the address, facsimile number and telephone number listed above.

Community & Economic Development: Public Notices
Licensing Examination For Marine Pilots

Publish Date: 06/25/99

Archive Date: 10/28/99

Location: Anchorage

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

BOARD OF MARINE PILOTS, (907) 465-2548, Anchorage, 10/27/98, application deadline 8/30/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

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Community & Economic Development: Public Notices
Licensing Examination For Nursing Home Administrators

Publish Date: 06/25/99

Archive Date: 10/15/99

Location: Anchorage, Juneau

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

NURSING HOME ADMINISTRATORS, (907) 465-2695, Juneau and Anchorage, 10/14/99, application deadline 8/27/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or

service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examination For Real Estate Appraisers

Publish Date: 06/25/99

Archive Date: 11/07/99

Location: Anchorage,
Fairbanks, Juneau, Other

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATIONS.

BOARD OF CERTIFIED REAL ESTATE APPRAISERS, (907) 465-2542, ASI Examination. Please call ASI at 800-274-7488 for up-to-date information regarding testing sites, dates, and examination packages. ANCHORAGE: Every Saturday, except holidays. FAIRBANKS: First Saturday of every month, except holidays. JUNEAU: Quarterly; 8/7/99, and 11/6/99. SEATTLE/BELLEVUE: Every Tuesday through Saturday, except holidays.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examination For The Nurse Aide Registry

Publish Date: 06/25/99

Archive Date: 09/02/99

Location: Anchorage,
Fairbanks, Juneau

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATIONS.

NURSE AIDE REGISTRY, (907) 269-8169. Examinations are scheduled in Anchorage, Fairbanks, and Juneau on a monthly basis, but are available to be administered at other examination sites upon request. Completed examination applications must be received in the Anchorage office at least two weeks prior to the examination date.

ANCHORAGE: Providence Hospital-West Auditorium, 8/28/99, application deadline 8/14/99.
FAIRBANKS: Fairbanks Memorial Hospital, 9/1/99, application deadline 8/18/99. JUNEAU: State Office Building. 9/1/99, application deadline 8/18/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational

Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examination For Underground Storage Tank Workers

Publish Date: 06/25/99

Archive Date: 08/29/99

Location: Anchorage,
Fairbanks, Juneau, Other

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

UNDERGROUND STORAGE TANK WORKERS, (907) 465-5470. There is NO WALK IN TESTING. Reservations must be made at least three working days before the exam. Call 1-800-275-8301 to make examination reservations. Call (907) 465-5470 for statutes and regulations needed for the examination. ANCHORAGE: Every Friday and Saturday except holidays. Friday exams are offered at 6:00 p.m. only. Saturday exams are at 8:00 a.m. and 1:00 p.m. FAIRBANKS: 7/24/99, deadline 7/21/99; 8/14/99, deadline 8/11/99; 8/28/99, deadline 8/25/99; JUNEAU: 8/7/99, deadline 8/4/99. ISOLATED/REMOTE COMMUNITIES: Please contact the division no later than 45 days from the day you wish to test and the division will make every reasonable attempt to comply with your request.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examinations For Architects, Engineers And Land Surveyors

Publish Date: 06/25/99

Archive Date: 10/15/99

Location: Anchorage,
Fairbanks, Juneau

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATIONS.

BOARD OF ARCHITECTS, ENGINEERS AND LAND SURVEYORS, 465-2540, Anchorage, Juneau, Fairbanks. PE AND PLS: 10/29/99, applications must be received in Juneau office no later than 8/2/99; Retake requests and fees must be received in Juneau office no later than 9/17/99. FE AND FLS: 10/30/99, applications must be received in Juneau office no later than 8/2/99; Retake requests and fees must be received in Juneau office no later than 9/17/99. A.R.E., Anchorage Only: Comity applications

and all supporting documents must be received in Juneau office no later than 8/ 9/99 for consideration at the 8/19-20/99 board meeting.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

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Community & Economic Development: Public Notices
Licensing Examinations For Barbers And Hairdressers

Publish Date: 06/25/99

Archive Date: 08/31/99

Location: Anchorage, Other

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

BOARD OF BARBERS AND HAIRDRESSERS, (907) 465-2547, Anchorage and other locations determined necessary. 8/29-30/99, application deadline 7/30/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examinations For Big Game Guides And Transporters

Publish Date: 06/25/99

Archive Date: 09/29/99

Location: Anchorage, Juneau

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

BIG GAME GUIDES AND TRANSPORTERS, (907) 465-2543, Anchorage and Juneau, Game Management examination 9/28/99. Game Management Unit exam application deadline 7/30/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Community & Economic Development: Public Notices
Licensing Examinations For Psychologists And Psychological Associates

Publish Date: 06/25/99

Archive Date: 10/14/99

Location: Anchorage

Body of Notice:

DIVISION OF OCCUPATIONAL LICENSING HEREBY ANNOUNCES THE FORTHCOMING EXAMINATION.

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATES, (907) 465-3811, Anchorage, 10/13/99, application deadline 8/16/99.

E-mail requests for exam applications may be made to: license@commerce.state.ak.us
Applications and exam information are also available at: Division of Occupational Licensing, 9th Floor State Office Building, PO 110806 Juneau, AK 99811-0806, (907) 465-2534. Division of Occupational Licensing, 3601 C Street, Suite 722, Anchorage, AK 99503-5934, (907) 269-8160.

Individuals or groups of people with disabilities who require special accommodations, auxiliary aids or service, or alternative communication formats, call Barbara Gabier, (907) 465-2572, or TDD (907) 465-5437. Please provide advance notice in order for the Department of Community and Economic Development to accommodate your needs.

Education & Early Development: Adopted Regulations - Text or Summary of Text
Bilingual-Bicultural Education

Publish Date: 06/29/99

Archive Date: 07/09/99

Location: Statewide

Body of Notice:

The adopted regulation is on the Department of Education web page at: [[a href="http://www.educ.state.ak.us/regs/home.html"](http://www.educ.state.ak.us/regs/home.html)][Go to Alaska Dept of Education Regulations](http://www.educ.state.ak.us/regs/home.html)]

**ORDER CERTIFYING THE ADOPTION OF REGULATIONS OF
THE STATE BOARD OF EDUCATION**

The attached 4 pages of regulations, dealing with Bilingual-Bicultural Education are hereby certified to be a correct copy of the regulation changes that the State Board of Education adopted at its June 4, 1999 meeting, under the authority of AS 14.07.060, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200, and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Board of Education paid special attention to the

cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the Lieutenant Governor as provided in AS 44.62.180.

DATE: _____
Juneau, Alaska Richard S. Cross, Commissioner
 Department of Education

FILING CERTIFICATION

I, Fran Ulmer, Lieutenant Governor for the State of Alaska, certify that on _____, 1999, at _____ .m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Lieutenant Governor

Effective
Register

Education & Early Development: Adopted Regulations - Text or Summary of Text Certification Of Teachers (Type R)

Publish Date: 06/29/99

Archive Date: 07/09/99

Location: Statewide

Body of Notice:

The adopted regulation can be viewed in .pdf format on the Department of Education web page at: [[Go to Alaska Dept of Education Regulations](http://www.educ.state.ak.us/regs/home.html)]

ORDER CERTIFYING THE ADOPTION OF REGULATIONS OF THE STATE BOARD OF EDUCATION

The attached 5 pages of regulations, having to do with Certification of Professional Teachers, are hereby certified to be a correct copy of the regulations that the State Board of Education adopted at its meeting of June 3, 4 and 5, 1999, under the authority of AS 14.07.060, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200, and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Board of Education paid special attention to the cost to private persons of the regulatory action being taken.

The regulations described in this order take effect on the 30th day after they have been filed by the Lieutenant Governor as provided in AS 44.62.180.

Date Richard S. Cross
Juneau, Alaska Commissioner of Education

FILING CERTIFICATION

I, Fran Ulmer, Lieutenant Governor for the State of Alaska, certify that on _____, 1999, at _____ .m., I filed the attached regulation according to the provisions of AS 44.62.040 - 44.62.120.

Lieutenant Governor

Effective Register

**Education & Early Development: Adopted Regulations - Text or Summary of Text
Government Of Schools (School Age)**

Publish Date: 06/29/99

Archive Date: 07/09/99

Location: Anchorage

Body of Notice:

The adopted regulation is on the Department of Education web page at: [<http://www.educ.state.ak.us/regs/home.html>][Go to Alaska Dept of Education Regulations](http://www.educ.state.ak.us/regs/home.html)]

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE STATE BOARD OF EDUCATION

The attached 1 page of regulations, dealing with Government of Schools is hereby certified to be a correct copy of the regulation changes that the State Board of Education adopted at its June 4, 1999 meeting, under the authority of AS 14.07.060, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200, and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Board of Education paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the Lieutenant Governor as provided in AS 44.62.180.

DATE: _____
Juneau, Alaska Richard S. Cross, Commissioner
Department of Education

FILING CERTIFICATION

I, Fran Ulmer, Lieutenant Governor for the State of Alaska, certify that on _____, 1999, at _____ .m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Lieutenant Governor

Effective Register

**Education & Early Development: Adopted Regulations - Text or Summary of Text
State Support Of Schools (Funding Floor)**

Publish Date: 06/29/99

Archive Date: 07/09/99

Location: Anchorage

Body of Notice:

The adopted regulation is on the Department of Education web page at: [<http://www.educ.state.ak.us/regs/home.html>]
>Go to Alaska Dept of Education Regulations]

**ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE STATE BOARD OF EDUCATION**

The attached 2 pages of regulations, dealing with State Support of Schools are hereby certified to be a correct copy of the regulation changes that the State Board of Education adopted at its June 4, 1999 meeting, under the authority of AS 14.07.060, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200, and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Board of Education paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the Lieutenant Governor as provided in AS 44.62.180.

DATE: _____
Juneau, Alaska Richard S. Cross, Commissioner
Department of Education

FILING CERTIFICATION

I, Fran Ulmer, Lieutenant Governor for the State of Alaska, certify that on _____, 1999, at _____ m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Lieutenant Governor

Effective
Register

**Education & Early Development: Agency Meetings
State Board Of Education Meeting**

Publish Date: 06/28/99

Archive Date: 09/24/99

Location: Anchorage, Statewide

Body of Notice:

Public Meeting of the
STATE BOARD OF EDUCATION

The next regular meeting of the State Board of Education will be September 23, 24 and 25, 1999 in the

Anchorage School District Board Room, 4600 DeBarr Road, Anchorage, Alaska.

Education & Early Development: Competitive & Other Solicitations
Child Nutrition Program Reviewers Needed

Publish Date: 06/28/99

Archive Date: 08/06/99

Location: Statewide

Body of Notice:
REQUEST FOR
PROPOSALS

CHILD NUTRITION
PROGRAM REVIEWERS

The Alaska Department of Education, Child Nutrition Services, is expanding the number of contract Program Reviewers for FY 2000. Minimum qualifications are:

1. Bachelor's Degree in Food Service Management, Food Science and Nutrition, Home Economics, Business, Early Childhood Development or related field. Must have specific experience working in Food Service Management, Nutrition, Early Childhood Development or Child Nutrition Programs. Substitution: 5 years of increasingly responsible experience in related field. Preference will be given to applicants with experience in menu planning and analysis, conducting inservice training, fiscal management and procurement.

2. Must be available to travel in state at the convenience of the Department.

Contracts will cover approximately 20-40 days per year. The Department may renew contracts annually with individuals who are adequately performing work responsibilities. Alaska Business License required.

Responsibilities include:

1. Conducting administrative compliance reviews of Child Nutrition Programs as required by USDA regulations.

2. Providing technical assistance, inservices and workshops for Program sponsors.

3. Work may include completion of School Meals Initiative (SMI) nutrient analysis reviews. Proposals must be received by 5:00 PM on August 5, 1999.

To obtain copies of the RFP contact:

Kathleen Wayne, RD
Child Nutrition Services
Alaska Department of Education
801 W. 10th Street, Suite 200
Juneau, Alaska 99801-1894
(907) 456-8708

Qualified applicants will be selected by August 23, 1999.

Authority For Adopting Education Regulations

Publish Date: 06/28/99

Archive Date: 07/06/99

Location: Statewide

Body of Notice:

DELEGATION OF AUTHORITY

In accordance with AS 14.17.010, the authority and responsibility for adopting regulations for the Department of Education, under the Alaska Administrative Procedure Act, is hereby delegated to Karen J. Rehfeld, Director of the Division of Education Support Services.

(NOTE: This authority is to be executed only when the Commissioner of Education is unavailable).

June 9, 1999

Richard S. Cross
Commissioner

Education & Early Development: Notices of Proposed Regulations 20 AAC (Alaska Student Loans)

Publish Date: 06/25/99

Archive Date: 08/28/99

Location: Statewide

Body of Notice:

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE
ALASKA COMMISSION ON POSTSECONDARY EDUCATION

Notice is given that the Alaska Commission on Postsecondary Education, under the authority of AS 14.43.105; 14.43.320; 14.43.630; 14.43.730; and 14.48.050 proposes to adopt, amend and repeal regulations in Title 20 of the Alaska Administrative Code dealing with Alaska Student Loan Programs, to implement, interpret, and make specific AS 14.43, including provisions that would:

- 1) revise application procedures
- 2) clarify application of late fees and collection costs;
- 3) revise institutional eligibility conditions and compliance requirements to participate in ASL programs;
- 4) clarify exclusion of memorial scholarship loans from the default rate calculation;
- 5) revise loan administration provisions;
- 6) clarify loan disbursement;
- 7) define refund and clarify requirements of handling a refund;
- 8) revise terms relating to alternative payment arrangements;
- 9) amend the term "borrower" to include cosigner; and
- 10) provide that notice of loan status may be provided to credit rating agencies.

Notice is further given that the Alaska Commission on Postsecondary Education, under the authority of AS 14.48.050, proposes to adopt, amend and repeal regulations in Title 20 of the Alaska Administrative Code dealing with regulation of postsecondary education institutions, to implement, interpret, and make specific AS 14.48, including provisions that would:

- 1) extend public interest oversight to institutions exempt by regulation from the agency's authorization requirement;
- 2) clarify exemption of religious organization;

- 3) clarify documents required for new authorization application and as a result of an institution's change in status;
- 4) clarify bonding requirements;
- 5) provide definition of annual tuition revenues;
- 6) clarify use of institutional and course names;
- 7) clarify terms for closure of institution or cessation of program;
- 8) create uniform completion and placement reporting standards;
- 9) amend school's catalog and/or brochure contents;
- 10) provide for execution of enrollment contract;
- 11) clarify a leave of absence and reporting of same;
- 12) further develop record retention requirements;
- 13) amend institutional operating standards;
- 14) revise tuition and refund policy;
- 15) clarify requirements for degrees and degree programs; and
- 16) provide for fine for late application.

Notice is also given that any person interested may present written statements or arguments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, by writing to the Executive Director of the Alaska Commission on Postsecondary Education, 3030 Vintage Blvd., Juneau, Alaska 99801-7109, so that they are received no later than August 27, 1999. Additionally, any interested person may present oral or written comments relevant to the proposed action, including potential costs to private persons of complying with the proposed action, at a hearing to be held at the next meeting of the Alaska Commission on Postsecondary Education, currently scheduled on Friday, September 10, 1999, at 707 A Street, Suite 201, Anchorage, Alaska. Scheduled times for oral testimony will be announced prior to the meeting.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Donna Mayfield at 465-6740 no later than August 13, 1999, to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the above-mentioned address.

After the close of the public comment period, the Alaska Commission on Postsecondary Education will either adopt these or other proposals dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

Date: June 25, 1999

Diane Barrans
Executive Director
Alaska Commission on Postsecondary Education

Education & Early Development: Notices of Proposed Regulations
4 AAC 04, Statewide Goals

Publish Date: 06/25/99

Archive Date: 09/24/99

Location: Statewide

Body of Notice:**NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE STATE BOARD OF EDUCATION**

Notice is given that the State Board of Education, under the authority of AS 14.07.020 and AS 14.07.060 proposes to amend regulations in 4 AAC 04, Statewide Goals, by

* repealing student performance standards in ten content areas and readopting them as student content standards through adoption by reference to a Department of Education publication entitled Alaska Standards: Standards for Alaska Students, published in February 1999; and

* adopting by reference to the same publication content standards for employability and the student performance standards in reading, writing and mathematics that were adopted by the State Board of Education January 20, 1999.

Notice is also given that persons interested may present written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action by writing to Commissioner's Office, Department of Education, Attn.: Regulations Review, 801 West 10th Street, Suite 200, Juneau, Alaska, 99801-1894, so that your comments are received no later than 4:30 p.m. on September 23, 1999. Additionally, any person may present oral or written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, at the next regularly scheduled meeting of the Alaska State Board of Education to be held on September 23, 1999, at 8:30 a.m. in the Anchorage School District Board Meeting Room, 4600 DeBarr Road, Anchorage, Alaska.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Dottie Knuth at 907-465-2801, or [dknuth@educ.state.ak.us], no later than 10 days before the end of the comment period to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the Commissioner's Office at the above address, e-mailing [dknuth@educ.state.ak.us], calling 907-465-2801, or can be found on the Department of Education's web site:

[[Go to Alaska Dept of Education](http://www.educ.state.ak.us/)]

OR <http://www.educ.state.ak.us/>

The State Board of Education, after the deadline stated above, will either adopt these or other proposals dealing with the same subject without further notice or decide to take no action on them. The language of the final regulations may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

DATE:

Richard S. Cross, Commissioner
Department of Education

**Education & Early Development: Notices of Proposed Regulations
4 AAC 05, Local Government**

Publish Date: 06/25/99

Archive Date: 09/24/99

Location: Statewide

Body of Notice:

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE STATE BOARD OF EDUCATION

Notice is given that the State Board of Education, under the authority of AS 14.07.020 and AS 14.07.060 proposes to amend regulations in 4 AAC 05, Local Government by correcting an inaccurate reference to a state statute, and by correcting an error in grammar. These corrections are part of a larger project updating the regulations and complying with recent statutory enactments.

Notice is also given that persons interested may present written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action by writing to Commissioner's Office, Department of Education, Attn.: Regulations Review, 801 West 10th Street, Suite 200, Juneau, Alaska, 99801-1894, so that your comments are received no later than 4:30 p.m. on September 23, 1999. Additionally, any person may present oral or written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, at the next regularly scheduled meeting of the Alaska State Board of Education to be held on September 23, 1999, at 8:30 a.m. in the Anchorage School District Board Meeting Room, 4600 DeBarr Road, Anchorage, Alaska.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Dottie Knuth at 907-465-2801, or [dknuth@educ.state.ak.us], no later than 10 days before the end of the comment period to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the Commissioner's Office at the above address, e-mailing [dknuth@educ.state.ak.us], calling 907-465-2801, or can be found on the Department of Education's web site:

[[Go to Alaska Dept of Education](http://www.educ.state.ak.us/)]

OR <http://www.educ.state.ak.us/>

The State Board of Education, after the deadline stated above, will either adopt these or other proposals dealing with the same subject without further notice or decide to take no action on them. The language of the final regulations may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

DATE:

Richard S. Cross, Commissioner

Education & Early Development: Notices of Proposed Regulations
4 AAC 06, Government of Schools

Publish Date: 06/25/99

Archive Date: 09/24/99

Location: Statewide

Body of Notice:

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE STATE BOARD OF EDUCATION

Notice is given that the State Board of Education, under the authority of AS 14.03.120, AS 14.07.020 and AS 14.07.060 proposes to amend regulations in 4 AAC 06, Government of Schools, by

Making significant repeals and amendments to 4 AAC 06, specifically to

- * repeal the Elementary Course of Study, adopted by reference in 1971, and no longer used;
- * correct statutory references;
- * revise school reporting requirements in conformance with statutory changes that require school-building-level reporting in place of the former district-level reporting, and set out information required to be reported;
- * integrate into the existing section on the statewide student assessment system new provisions requiring the use of a developmental profile for entering kindergarten and first grade students in response to recent statutory changes;
- * amend two provisions on norm-referenced tests, to recognize the addition of the benchmark exam at grade eight.

Notice is also given that persons interested may present written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action by writing to Commissioner's Office, Department of Education, Attn.: Regulations Review, 801 West 10th Street, Suite 200, Juneau, Alaska, 99801-1894, so that they are received no later than 4:30 p.m. on September 23, 1999.

Additionally, any person may present oral or written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, at the next regularly scheduled meeting of the Alaska State Board of Education to be held on September 23, 1999, at 8:30 a.m. in the Anchorage School District Board Meeting Room, 3600 DeBarr Road, Anchorage, Alaska.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Dottie Knuth at 907-465-2801, or [dknuth@educ.state.ak.us], no later than 10 days before the end of the comment period to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the Commissioner's Office at the above address, e-mailing [dknuth@educ.state.ak.us], calling 907-465-2801, or can be found on the Department of Education's web site:[<http://www.educ.state.ak.us/>][Go to Alaska Dept of Education](http://www.educ.state.ak.us/)]OR <http://www.educ.state.ak.us/>

The State Board of Education, after the deadline stated above, will either adopt these or other proposals dealing with the same subject without further notice or decide to take no action on them. The language of the final regulations may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

DATE:

Richard S. Cross, Commissioner

Education & Early Development: Notices of Proposed Regulations
4 AAC 31, School Facilities (and 4 AAC 09)

Publish Date: 06/25/99

Archive Date: 09/24/99

Location: Statewide

Body of Notice:

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE STATE BOARD OF EDUCATION

Notice is given that the State Board of Education, under the authority of AS 14.07.020 and AS 14.07.060 proposes to amend regulations in Chapter 4 AAC 09, State Support of Schools, and Chapter 4 AAC 31, School Facility Planning and Construction by

* repealing a section in 4 AAC 09 that establishes "funding communities" for calculating state aid for school district operating budgets, because a new school funding law enacted in 1998 eliminated the need for funding communities; and

* adopting in 4 AAC 31 a new section that establishes "funding communities" to calculate unhoused students and the amount of square footage eligible for state funding for school facilities; and sets out criteria for determining a funding community, and procedures for establishing funding communities annually.

Notice is also given that persons interested may present written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action by writing to Commissioner's Office, Department of Education, Attn.: Regulations Review, 801 West 10th Street, Suite 200, Juneau, Alaska, 99801-1894, so that they are received no later than 4:30 p.m. on September 23, 1999.

Additionally, any person may present oral or written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, at the next regularly scheduled meeting of the Alaska State Board of Education to be held on September 23, 1999, at 8:30 a.m. in the Anchorage School District Board Meeting Room, 4600 DeBarr Road, Anchorage, Alaska.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Dottie Knuth at 907-465-2801, or [dknuth@educ.state.ak.us], no later than 10 days before the end of the comment period to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the Commissioner's Office at the above address, e-mailing [dknuth@educ.state.ak.us], calling 907-465-2801, or can be found on the Department of Education's web site:

[<http://www.educ.state.ak.us/>Go to Alaska Dept of Education

OR <http://www.educ.state.ak.us/>

The State Board of Education, after the deadline stated above, will either adopt these or other proposals

dealing with the same subject without further notice or decide to take no action on them. The language of the final regulation may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

DATE:

Richard S. Cross, Commissioner
Department of Education

Education & Early Development: Notices of Proposed Regulations
4 AAC 33, Special Programs (Correspondence Study)

Publish Date: 06/25/99

Archive Date: 09/24/99

Location: Statewide

Body of Notice:

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE STATE BOARD OF EDUCATION

Notice is given that the State Board of Education, under the authority of AS 14.07.020 and AS 14.07.060 proposes to amend regulations in Chapter 4 AAC 33, Special Programs by

* clarifying provisions of a recently enacted regulation on statewide correspondence study programs by making technical amendments to certain procedures;

* amending the responsibilities of school districts and the Department of Education in regards to statewide correspondence study programs and students; and

* clarifying that charter schools that enroll out of district students in correspondence study courses are subject to the provisions of the regulation and clarifying that Alyeska Central School summer program is not subject to the provisions of the regulation.

Notice is also given that persons interested may present written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action by writing to Commissioner's Office, Department of Education, Attn.: Regulations Review, 801 West 10th Street, Suite 200, Juneau, Alaska, 99801-1894, so that they are received no later than 4:30 p.m. on September 23, 1999.

Additionally, any person may present oral or written comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, at the next regularly scheduled meeting of the Alaska State Board of Education to be held on September 23, 1999, at 8:30 a.m. in the Anchorage School District Board Meeting Room, 4600 DeBarr Road, Anchorage, Alaska.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Dottie Knuth at 907-465-2801, or [dknuth@educ.state.ak.us], no later than 10 days before the end of the comment period to ensure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained by writing to the Commissioner's Office at the above address, e-mailing [dknuth@educ.state.ak.us], calling 907-465-2801, or can be found on the Department of Education's web site: [<http://www.educ.state.ak.us/>][Go to Alaska Dept of Education](http://www.educ.state.ak.us/)OR <http://www.educ.state.ak.us/>

The State Board of Education, after the deadline stated above, will either adopt these or other proposals dealing with the same subject without further notice or decide to take no action on them. The language of the final regulation may vary from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

DATE:

Richard S. Cross, Commissioner
Department of Education

Fish & Game: Adopted Regulations - Text or Summary of Text
Regulations Dealing With Commercial Finfish Fishing In Upper Cook Inlet Area

Publish Date: 06/25/99

Archive Date: 07/25/99

Location: Statewide

Body of Notice:

The Alaska Board of Fisheries adopted regulations dealing with commercial finfish fishing in the Upper Cook Inlet Area that the Alaska Board of Fisheries adopted at its February 16 - March 2, 1999 meeting, under the authority of AS 16.05.251 and 16.05.258 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

On the record, in considering public comments, the Alaska Board of Fisheries paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

/s/Robert Bosworth, Deputy Commissioner, June 24, 1999

Health & Social Services: Delegations of Authority
Commissioner's Office Delegation

Publish Date: 06/30/99

Archive Date: 07/10/99

Location: Juneau

Body of Notice:

Commissioner Karen Perdue will be away from the Juneau office June 21-July 9, 1999. During this time, the following delegation will apply:

Jay Livey, Deputy Commissioner, will be Acting Commissioner and will have full authority to act on her behalf. If Jay Livey is away from the Juneau office during this period, then Russ Webb, Deputy Commissioner, will be Acting Commissioner and will have full authority to act on her behalf. If both Jay and Russ are away from the Juneau office, Elmer Lindstrom, Special Assistant, will be Acting Commissioner and will have full authority to act on her behalf.

Please contact Nancy Cashen at 465-3030 if you have any questions regarding this delegation.

Alaska Exemptions Act

Publish Date: 06/25/99

Archive Date: 07/14/99

Location: Statewide

Body of Notice:

As specified in AS 09.38.115, the Department of Labor has adjusted the amount set out in the Alaska Exemptions Act in response to changes in the Consumer Price Index. 8 AAC 95.030 has been amended to reflect these changes.

The regulations become effective July 22, 1999.

Copies of the regulations are available by writing to Brynn Keith, Alaska Department of Labor, Research and Analysis Section, P.O. Box 25501, Juneau, AK 99802-5501 (phone 907-465-4518).

Labor & Workforce Development: Public Notices Zones Of Underemployment

Publish Date: 06/30/99

Archive Date: 07/30/99

Location: Statewide

Body of Notice:

Pursuant to AS 36.10.150 and 8 AAC 30.064, Commissioner of Labor Ed Flanagan has determined, upon an analysis of the most recent detailed employment and labor supply data available, that the state of Alaska remains a "zone of underemployment" with regard to the construction industry. The commissioner has determined that eighteen occupational categories in the industry will continue to qualify for 90% resident employment preference on publicly funded construction projects:

Boilermakers	Equipment Operators	Piledrivers
Bricklayers	Insulation Worker	Plumbers and
Carpenters	Ironworkers	Pipefitters
Cement Masons	Laborers	Roofers
Culinary Workers	Mechanics	Sheet Metal
Electricians	Painters	Workers
Truck Drivers		
Welders		

This determination shall become effective July 1, 1999 through June 30, 2001.

For additional information, contact the Labor Standards and Safety Division in Anchorage (907-269-4900), Juneau (907-465-4842), or Fairbanks (907-451-2886).

Ed Flanagan, Commissioner
Department of Labor
June 30, 1999

Law: Attorney General Opinions

ETHICS: Cash Award in Recognition of Superior Job Performance

Publish Date: 06/29/99

Archive Date: 07/08/99

Location: Statewide

Body of Notice:

MEMORANDUM State of Alaska
Department of Law

TO: Commissioner

DATE: March 12, 1996

FILE NO.: 663-96-0272

TELEPHONE NO.: 465-3600

FROM: Douglas D. Gardner
Assistant Attorney General
Human Services Section - Juneau

SUBJECT: Cash Award in Recognition of Superior Job Performance (Executive Ethics Act; AS 39.52)

Pursuant to AS 39.52, the Alaska Executive Branch Ethics Act ("Act"), you have requested advice regarding whether Mr. A -- a state employee -- may accept a monetary award in recognition of his job performance. In accordance with AS 39.52.240(b), we previously provided you with our initial verbal advice that Mr. A should not accept the award from B. We based that advice on AS 39.52.120(b)(2), which prohibits a state employee from accepting compensation for the performance of official duties from an entity other than the state. This written opinion confirms our initial advice.

BACKGROUND

The following is our understanding of the facts, based on information provided in your memorandum of January 5, 1995.

1. Mr. A's Job Duties

Mr. A is employed by the State of Alaska. Mr. A's position is funded by an interagency personnel agreement between a department of the State of Alaska and B, an agency of the federal government. Mr. A serves at the pleasure of both agencies. The state pays Mr. A's salary and is later reimbursed by B. B is later reimbursed by C, a private corporation, for work performed by Mr. A.

Under the direction of the state and B's on-site officer, Mr. A provides technical assistance regarding policies, procedures, and enforcement of state statutes and safety regulations. These inspections ensure that regulations protecting the safety of the public and employees working on the project are properly observed.

2. The Award

During 1994, Mr. A directed the XYZ safety and inspection project. In recognition of his superior job performance in directing the XYZ program, Mr. A was nominated for a monetary award. As a result, Mr. A was awarded \$1,265 by B. This award was based on a percentage of Mr. A's annual salary. Prior to disbursing Mr. A's award, a department of the State of Alaska requested our opinion on whether such an award was prohibited by the Act. Pending the release of this opinion, B has retained possession of Mr. A's award.

DISCUSSION

In our oral advice we advised that Mr. A should not accept the monetary award from B because, under AS 39.52.120(b),

A public officer may not . . .

(2) accept, receive, or solicit compensation for the performance of official duties or responsibilities from a person other than the state.

AS 39.52.960(7) defines "compensation" to include:

(7) "compensation" means any money, thing of value, or economic benefit conferred on or received by a person in return for services rendered or to be rendered by the person for another.

The award presented by B to Mr. A is a "bonus" directly correlated to Mr. A's salary and constitutes compensation to him for services rendered. BLACK'S LAW DICTIONARY defines "bonus" as "[a]n addition to salary or wages normally paid for extraordinary work. An inducement to employees to procure efficient and faithful service." BLACK'S LAW DICTIONARY 182(rev. 6th ed. 1990).

We base our finding that this award constitutes compensation for services rendered on the following factors. First, and most significantly, B's "award" or bonus was directly related to the quality and quantity of work performed by Mr. A as part of his official duty as a state employee.

Next, in calculating the award, B multiplied Mr. A's salary for FY-94 (\$63,240) by 2 percent, resulting in an award of \$1,265. Thus, the "award" was work-related and based on the value of services performed by Mr. A.

As a state employee, Mr. A is prohibited by AS 39.52.120(b) from accepting compensation from B for performance of his official duties. One purpose of AS 39.52.120(b) is to prevent state employees from receiving "double-pay" for performing their normal official duties. See 1987 Inf. Op. Att'y Gen. (April 24; 663-86-0389). A second purpose of the Act is to assure the public that state officials are not influenced by remuneration from non-state entities. AS 39.52.010. If Mr. A accepted the monetary award or "bonus" from B, he would be receiving additional payment by a non-state entity for the performance of his official duties. Due to the restriction in AS 39.52.120(b)(4), it is our opinion that Mr. A may not accept B's monetary "award." However, Mr. A may request that B donate the award to a charity. The charity, however, must be an organization in which neither Mr. A or his immediate family members hold a membership or other interest. 1991 Inf. Op. Att'y Gen. (July 1; 663-91-0489).

If you have any questions regarding this opinion, please do not hesitate to call.

DDG/bap

Law: Attorney General Opinions
ETHICS: Outside Employment as Research Analyst

Publish Date: 06/29/99

Archive Date: 07/08/99

Location: Statewide

Body of Notice:

MEMORANDUM State of Alaska
 Department of Law

TO: Designated Ethics Supervisor

DATE: July 14, 1995

FILE NO.: 661-95-0777; 661-95-0817

TEL. NO.: 269-5274

FROM: Nancy B. Meade
Assistant Attorney General
Environmental Section - Anchorage

SUBJECT: Outside employment under contract administered by separate unit of employee's agency;
outside employment as research analyst (AS 39.52)

You have requested our advice on two potential violations of the Executive Branch Ethics Act, AS 39.52.010 -- AS 39.52.960, which were disclosed to you through ethics disclosure forms submitted pursuant to AS 39.52.170. First, "John Doe," an agency employee, wishes to subcontract with a state university (the University), which intends to contract with the agency to perform work on a project initiated by Mr. Doe in his former position at the agency. Second, Mr. Doe also wishes to become employed as a research analyst with the University. We conclude that neither of these proposed outside positions would violate any provision of AS 39.52.

FACTS

With respect to the first question, we understand from the ethics disclosure form that was forwarded to our office, as well as from Mr. Doe himself in a follow-up telephone conversation, that Mr. Doe formerly worked as the project manager for the agency's "Comparative Risk Project," a project designed to help the agency develop a methodology to use in prioritizing its workload. As part of his duties in that position, Mr. Doe applied for, and obtained, a grant from a federal agency; the funds from that grant are to be expended in conducting a three-part analysis, which will then yield a system for the agency to use in prioritizing its work. Two of the three parts are fairly scientific, and will probably be assessed by the agency's employees as part of their official duties, while the third is more of a statistical analysis, which will likely be conducted by non-agency personnel. This grant was obtained in the latter part of 1993, but, for a variety of reasons, very little work has been done under the grant to date.

In February 1995, Mr. Doe changed jobs within the agency; he is now in an unrelated position. Approximately two months later, the new manager of the Comparative Risk Project approached officials at the University to informally discuss whether the University could conduct the third, statistical part of the risk analysis, which will include conducting a public survey. The data from this research survey will be provided to the agency, which will then combine it with the other two components of the analysis to come up with a prioritization procedure.

After the University submits a proposal to the agency, and assuming the University obtains the contract, Mr. Doe would like to be employed as a research analyst for the project, helping to develop the survey and draft the final report. He obtained his Master's Degree in Public Administration from the University, and his work would be based on that expertise. It is wholly unrelated to Mr. Doe's current job. Mr. Doe estimates that the total time working on this project will be 30--60 hours, at a total salary of approximately \$300--500.

With respect to your second question concerning Mr. Doe's outside employment as a University research analyst, the facts appear to be straightforward. Mr. Doe wishes to work under a University grant, funded by a federal agency, to conduct research on a separate issue. The work is expected to take five to ten hours per week.

ANALYSIS

Since the first scenario potentially implicates several different provisions of the Executive Branch Ethics Act (the "Act"), each applicable section will be discussed in turn. The second question is

discussed in section D below. At the outset, we note that Mr. Doe is clearly a "public officer" within the Act's meaning. AS 39.52.960(21) (term generally includes any employee of a state agency).

A. Misuse of Official Position

A public officer may not use his official position for personal gain; specifically, the officer may not "seek other employment or contracts through the use or attempted use of official position," and may not "receive . . . compensation for the performance of official duties or responsibilities from a person other than the state." AS 39.52.120(b)(1),(2). We have stated previously that this provision "was intended both to prevent bribes and to prevent employees from receiving double pay for performing their normal duties." 1987 Op. Att'y Gen. at 2 (Apr. 24, 663-87-0389).

Mr. Doe did not seek, or even consider, employment with the University relating to the Comparative Risk Project while he was employed as the project manager. Only after he left that position did the contracting opportunity arise with the University. Moreover, the fact that Mr. Doe is seeking only to enter a contract with another entity which, in turn, intends to contract directly with the state makes the relationship between Mr. Doe and the state indirect, making it even less possible that his official position in the agency somehow secured the contract for him. Thus, it does not appear that Mr. Doe used, or could have used, his official position to get the subcontract work with the University.

Second, the work Mr. Doe would do for the University is different from his "official duties" that he now does for the agency; designing a public survey on citizens' perceptions is wholly separate from Mr. Doe's current job duties. Mr. Doe's proposed employment would not run afoul of the prohibition on receiving outside compensation for performing official duties.

B. Improper Use of Information

Mr. Doe is prohibited from disclos[ing] or us[ing] information gained in the course of, or by reason of, [his] official duties that could in any way result in the receipt of any benefit for [him], if the information has not also been disseminated to the public.

AS 39.52.140(a). Whether information has been "disseminated to the public" is determined under 9 AAC 52.070 (eff. 4/24/94); information that is merely available to the public, but has not been "published" under paragraph (a) of the regulation is not considered to have been disseminated.

It does not appear that Mr. Doe used, or will use, any particularized information that he had by virtue of his position as Comparative Risk Project Manager to design or conduct the public survey. The survey appears to be a separate, and smaller, aspect of the entire assessment; it is one of the three components of the methodology that the agency must examine under the federal grant, and its management is not susceptible to any private agency information. Since Mr. Doe likely does not even have any specialized information about conducting the survey that would benefit him by giving him an advantage in subcontracting with the University, there does not appear to be any violation of this provision.

On the other hand, Mr. Doe may have information that he gained as project manager that could be used to help the University tailor its eventual formal bid proposal more carefully to comport with exactly what the agency is seeking in the public opinion portion of the risk analysis. If any such information is not included in the agency's Request for Proposals, Mr. Doe may not use that information, since it would indirectly benefit him if the University should win the contract. Thus, if Mr. Doe does have any such non-disseminated information, he should not assist the University in preparing any bid that would be submitted to the agency.

C. Improper Influence

AS 39.52.150(a) provides:

A public officer . . . may not attempt to acquire, receive, apply for, be a party to, or have a personal or financial interest in a state grant, contract, lease, or loan if the public officer may take or withhold official action that affects the award, execution, or administration of the state grant, contract, lease, or loan.

If Mr. Doe were to be employed by the University to do work under a University/agency contract, he would have a personal or financial interest in the state contract within the meaning of this rule. Nonetheless, since Mr. Doe has changed jobs, he is no longer in a position to "take or withhold official action" that could affect the contract between the agency and the University. This provision, then, does not prevent Mr. Doe from working for the University on the survey project.

Although this conclusion would allow Mr. Doe to work on a contract that is being administered by his own agency, the Act does not prohibit such an arrangement. Indeed, the Act specifically allows a public officer to have a personal or financial interest in a contract that is awarded or administered by the same agency for which that officer works, as long as that interest is reported in writing to the employee's designated supervisor. AS 39.52.150(d). By filling out the disclosure form, Mr. Doe has complied with that requirement.

D. Outside Employment

The Act also discusses the circumstances in which an employee is restricted from engaging in employment outside the state:

A public employee may not render services to benefit a personal or financial interest or engage in or accept employment outside the agency which the employee serves, if the outside employment or service is incompatible or in conflict with the proper discharge of official duties.

AS 39.52.170(a) (emphasis added). This section is expanded upon in the regulations, which provide that outside employment violates this section

if the employee's designated supervisor reasonably determines that the outside employment or service

- (1) takes time away from the employee's official duties;
- (2) limits the scope of the employee's official duties; or
- (3) is otherwise incompatible or in conflict with the proper discharge of the employee's

official duties.

9 AAC 52.090 (eff. 4/24/94).

It is Mr. Doe's designated supervisor who will apply the tests in this provision. You must ascertain whether it can be reasonably determined that Mr. Doe's outside work for the University, as proposed, would take time away from his official duties. In making this determination, you will likely consider that he would do the extra work, which amounts to approximately ten hours per week, "outside normal working hours." See Ethics Disclosure Form, April 20, 1995. Second, in determining whether Mr. Doe's proposed work would limit the scope of his official duties, you will need to examine the substantive relationship between the public survey and any issues that Mr. Doe deals with in his current position. Finally, though we do not perceive other indications that the proposed project would be incompatible with, or in conflict with, Mr. Doe's current duties, you should make that determination as well.

The second question, concerning Mr. Doe's proposed work as a research analyst, is also resolved under these provisions. Generally, if he only does the proposed five to ten hours of work outside of his normal working hours for the state, it would appear reasonable to conclude that the outside employment is not interfering with his state duties. In addition, you must determine whether the proposed work would limit the scope of his official duties. Since it appears that the periodic research work is unrelated to Mr. Doe's current duties, it may be reasonable to conclude that the outside employment does not limit the scope of Mr. Doe's official duties. Finally, there do not appear to be other

indications that the proposed work would be incompatible with, or in conflict with, Mr. Doe's current duties.

Thus, as long as Mr. Doe reports this outside employment, AS 39.52.170(b), as he has, and as long as you determine that the outside positions meet the test in the regulation, they are probably permissible.

CONCLUSION

There does not appear to be any violation of the Executive Branch Ethics Act presented by the outside employment proposed by Mr. Doe, though you will need to make the specific determination required by 9 AAC 52.090. Although Mr. Doe's situation implicates several of the Act's provisions, none appear to prohibit (1) his work for the University on the public survey portion of the Comparative Risk Project, or (2) his work as a University research analyst.

If I have misstated any facts in this opinion, or if you have any other questions, please contact me immediately.

NBM:vo

Law: Attorney General Opinions

ETHICS: Retention of business interests upon appointment to office

Publish Date: 06/29/99

Archive Date: 07/08/99

Location: Statewide

Body of Notice:

MEMORANDUM State of Alaska
 Department of Law

TO: Michael A. Nizich
 Designated Ethics Supervisor
 Office of the Governor

DATE: January 11, 1995

FILE NO.: 663-95-0310

TEL. NO.: 465-3600

FROM: Kristen F. Bomengen
 Assistant Attorney General
 Human Services Section-Juneau

SUBJECT: Retention of business interests upon appointment to office
(Executive Ethics Act -- AS 39.52)

INTRODUCTION

You have asked whether a department commissioner may retain personal business interests upon appointment to office. You have further inquired about whether the commissioner's spouse's business interests with that department may be affected by the appointment. Finally, you have asked

whether the commissioner may remain involved in volunteer service in the community as a board member for a non-profit organization that has a grant from the department.

The answer, in brief, is that the commissioner and spouse may retain personal business interests. The businesses may have to forego certain business opportunities with the department. On the other hand, if the commissioner severs all financial ties with the commissioner's business, the Executive Branch Ethics Act does not restrict the future activities of that business. The commissioner's continued participation as a board member of a grantee agency, however, would be incompatible with the official duties of a department commissioner.

BACKGROUND

Two types of business interests must be examined in order to respond to these concerns. First, the commissioner's spouse owns a firm. Although the department itself does not let contracts related to the firm's activities, some related contracts will be awarded and administered on behalf of the department. The spouse's business generally bids on contracts of this nature. These contracts would not usually be awarded and administered by the Commissioner's Office, but either by the Department of Transportation and Public Facilities (DOT/PF) or an administrative unit within the department.

Second, the commissioner is a partner in a consulting business, which has been involved in a number of consulting projects for the department. These projects concern policy development and planning. One project has just been completed. The contracting officer for this project was an employee of an administrative unit within the department. However, because of the policy considerations within the project, the project was reviewed by two division directors and a deputy commissioner. In the future, the department will likely let additional contracts that are within the expertise of this partnership. The commissioner is considering severing ties with the business partnership. The commissioner may be interested in returning to consulting after leaving state service.

In addition, the commissioner currently serves as a board member for a non-profit agency that regularly seeks grants from the department. The commissioner is interested in continuing community service activities, but is concerned about potential for conflict under the provisions of the Executive Branch Ethics Act.

APPLICABLE LAW

The applicable provisions of the Executive Branch Ethics Act are as follows:

AS 39.52.150. IMPROPER INFLUENCE IN STATE GRANTS, CONTRACTS, LEASES, OR LOANS. (a) A public officer, or an immediate family member, may not attempt to acquire, receive, apply for, be a party to, or have a personal or financial interest in a state grant, contract, lease, or loan if the public officer may take or withhold official action that affects the award, execution, or administration of the state grant, contract, lease, or loan.

(b) The prohibition in (a) of this section does not apply to a state grant, contract, or lease competitively solicited unless the officer

(1) is employed by the administrative unit awarding the grant, contract, or lease or is employed by the administrative unit for which the grant, contract, or lease is let; or

(2) takes official action with respect to the award, execution, or administration of the grant, contract, or lease.

AS 39.52.170. OUTSIDE EMPLOYMENT RESTRICTED. (a) A public employee may not render services to benefit a personal or financial interest or engage in or accept employment outside the agency which the employee serves, if the outside employment or service is incompatible or in conflict with the proper discharge of official duties.

AS 39.52.960. DEFINITIONS. In this chapter, unless the context requires otherwise,

(1) "administrative unit" means a branch, bureau, center, committee, division, fund, office, program, section, or any other subdivision of an agency;

. . . .

(9) "financial interest" means

(A) an interest held by a public officer or an immediate family member, which includes an involvement or ownership of an interest in a business, including a property ownership, or a professional or private relationship, that is a source of income, or from which, or as a result of which, a person has received or expects to receive a financial benefit;

(B) holding a position in a business, such as an officer, director, trustee, partner, employee, or the like, or holding a position of management[.]

The statutes have been clarified by regulations as follows:

9 AAC 52.080. STATE GRANTS, CONTRACTS, LEASES, AND LOANS. (a) For purposes of AS 39.52.150(b), a state grant, contract, or lease is competitively solicited if the grant, contract, or lease

(1) is awarded by competitive sealed bidding under AS 36.30.100 - 36.30.190 or competitive sealed proposals under AS 36.30.200 - 36.30.270; or

(2) is awarded by procedures substantially similar to competitive sealed bidding or competitive sealed proposals and AS 36.30 does not apply to the awarding of the grant, contract, or lease.

(b) If a state grant, contract, lease, or loan is awarded by or for a public corporation, board, or commission within a department but not by or for the office of the commissioner of that department, then an employee of the office of the commissioner in that department is not considered to be employed by the administrative unit awarding the grant, contract, lease, or loan.

(c) For purposes of AS 39.52.150(b)(1), if the public officer was not employed by the administrative unit at the time a state grant, contract, or lease was competitively solicited, the officer's subsequent employment by that administrative unit does not constitute a violation of AS 39.52.150 unless the officer takes or withholds official action with respect to the administration of the grant, contract, or lease.

9 AAC 52.090. OUTSIDE EMPLOYMENT OR SERVICE. For purposes of AS 39.52.170, a public employee's outside employment or service, including volunteer service, is incompatible or in conflict with the proper discharge of official duties if the employee's designated supervisor reasonably determines that the outside employment or service

(1) takes time away from the employee's official duties;

(2) limits the scope of the employee's official duties; or

(3) is otherwise incompatible or in conflict with the proper discharge of the employee's official duties.

ANALYSIS

Spouse's Business

Under AS 39.52.150(a), a public officer or an immediate family member may not have or seek a financial interest in a state contract if the public officer may take or withhold official action that affects the award or administration of the contract. When a contract is competitively solicited, however, the prohibition of AS 39.52.150(a) only applies if the employee is part of the administrative unit awarding the contract or actually takes action on the contract as set out at AS 39.52.150(b).

The commissioner's spouse owns a firm, and may bid on state contracts. Under AS 39.52.150, the firm may bid on any project on which the commissioner could not take official action. Thus, the firm may bid on any project that has no connection with the commissioner's department.

The spouse's firm, however, may wish to bid on projects for work related to the department. We assume for this analysis that the contracts are competitively bid. Thus, the questions are whether the commissioner's "administrative unit" will award the contract, and, if not, whether the commissioner will take official action that affects the award or administration of any such contract.

The award and administration of these projects for the department is usually performed by DOT/PF pursuant to a Reimbursable Services Agreement (RSA) with the department. The department rarely issues these contracts directly, unless a delegation of authority for contracts of a limited dollar amount is received from DOT/PF. The commissioner, however would be the signatory on the RSA to DOT/PF that funds these projects for the department.

In most, if not all, cases, neither the department nor the Commissioner's Office will be the administrative unit that awards the contract. Moreover, the project manager within the department most likely will be from another administrative unit, not the commissioner or an employee within the Commissioner's Office. Under 9 AAC 52.080(b), employees of the Commissioner's Office are specifically excluded from being considered employees of all administrative units of the department.

Thus, the commissioner's potential conflict will be analyzed under AS 39.52.150(b), not AS 39.52.150(a). The question, then, is not whether the commissioner may take official action, but whether the commissioner will take official action on a project on which the spouse's firm may want to bid.

The commissioner must sign the RSA for funds to be spent on projects that involve significant expenditures. A RSA generally will be signed prior to the award of a contract by DOT/PF, but a contract amendment may involve subsequent RSAs that will be designated for a specific firm. Further, the statutory duties of the commissioner, as principal executive officer of the department, include the management of certain state facilities. Pursuant to these duties, the commissioner should participate in some decisions regarding important facilities for the department. Thus, in the usual case the commissioner will take official action on a contract let on behalf of the department.

The spouse's firm may not bid on contracts on which the commissioner will take official action. AS 39.52.150(b)(2). This conflict may be cured, however, if the commissioner may delegate the commissioner's duties and thereby avoid taking any official action on a particular project.

Whether the commissioner may delegate the commissioner's duties requires a case-by-case analysis that must be performed by the commissioner's designated ethics supervisor. If the matter includes a traditionally delegated function, it may be reasonable to conclude that the commissioner will take no direct action on the matter. For example, contracts for small dollar amounts for minor modifications traditionally have been delegated to a person in another administrative unit within the department. On more significant matters, the designated ethics supervisor, once concluding that there is a potential for a violation under AS 39.52.210, may make a reassignment of duties in order to cure the conflict, or direct the commissioner to divest the financial interest that poses the potential violation.

In summary, the spouse's firm may bid on any state contracts that clearly do not involve the potential for action by the commissioner of this department. This may include some contracts awarded

by DOT/PF on behalf of the department. The spouse's firm may not seek state contracts that require official action by the commissioner of this department.

The Commissioner's Business Partnership

As discussed above, under AS 39.52.150, a public officer may not seek a contract or hold a financial interest in a contract if the officer may take or withhold official action concerning that contract. If the contract is competitively solicited, these restrictions apply only if the public officer is an employee of the administrative unit that awards the contract, or if the public officer takes official action with respect to the contract. The commissioner's consulting business involves outside employment or the rendering of services that will benefit a financial interest. Accordingly, AS 39.52.170, which prohibits outside employment that is incompatible with performance of state duties, also applies.

If the commissioner retains a financial interest in the consulting business, we believe that the consulting business should not bid on state contracts with the department. First, these contracts involve matters of policy and agency discretion, and the Commissioner's Office has been directly involved in previous contracts obtained by this partnership. Under AS 39.52.150(b), the commissioner may not retain a financial interest in the consulting business unless these policy decision are delegated to another official.

Moreover, under AS 39.52.170, outside employment or financial interests are restricted if the employment or interest is incompatible or in conflict with the proper discharge of official duties. Under 9 AAC 52.090, an incompatibility with the discharge of official duties may arise with outside employment or service, including volunteer service, if a determination is made that it limits the scope of the employee's official duties or demonstrates another conflict. We believe that the commissioner's designated ethics supervisor would find that a delegation of policy-making authority would not be consistent with the expectation that a commissioner will perform the planning and policy formulation duties of the position.

The commissioner has indicated that the business and financial interest in the partnership will not be retained. The commissioner has asked, however, whether the commissioner's former business associate would be precluded from continuing in the business and seeking contracts from the department. The answer is that the Executive Branch Ethics Act does not prohibit a former business partner from continuing the activities of the business, including seeking contracts from the department.

Community Service as a Board Member

The commissioner serves on a board of a volunteer organization that obtains grants from the department. The restrictions on outside employment in AS 39.52.170 also apply to volunteer activities. 9 AAC 52.090. These services may be incompatible or in conflict with the proper discharge of the employee's official duties if conflicting interests may arise in the course of performing these duties. A board member must act in the best interests of the non-profit agency. A commissioner must act in the best interests of the department. The interests of a grantee may not be fully compatible with the interests of the department. For example, a board member may become involved in problems encountered in the grant or a petition to the department; the department commissioner may have to make a final determination that will impact the grantee or respond to a petition. The conflict would not exist if the non-profit agency has grants from other departments, but a serious potential for conflicts exists when the non-profit agency is a grantee of the same department. Consequently, the commissioner is advised to resign from the board of the grantee agency.

CONCLUSION

In summary, the commissioner's spouse's business interests do not present a potential for a violation of the Executive Branch Ethics Act, except that the spouse's firm will be precluded from seeking contracts from the department if the commissioner is likely to take official action on the contract. The commissioner's business partnership will present a potential for a violation of the Executive Branch

Ethics Act if the commissioner retains a financial interest in the partnership. However, if the financial interests in the partnership are severed, there is no restriction on the continuation of the former partner's business activities with the department. Finally, the ongoing presence of the commissioner on the board of a non-profit agency that has a grant from the department will be incompatible with the appointee's official duties. The commissioner is advised to resign from the board.

KFB/bap

Office of the Governor: Boards & Commissions
Vacancy List

Publish Date: 06/24/99

Archive Date: 07/15/99

Location: Statewide

Body of Notice:

Please click on the attached icon for a quarterly list of current board vacancies and terms to expire. Please be aware of the column titled "FD" or "LC" as Financial Disclosure and/or Legislative Confirmation may be required after appointment to certain boards. If you are interested in applying for a board or commission seat, please send, fax or email a resume and brief cover letter explaining your interest and qualifications to the below address. As per state law, you must be a registered voter prior to the last general election and be a resident of Alaska in order to be an eligible applicant. You may wish to visit our website at

<http://www.gov.state.ak.us/boards/bcinfo.htm> which contains a one page fact sheet on each board or contact us at Office of the Governor, Boards & Commissions, P.O. Box 110001, Juneau, AK 99801, ph: 465-3500, fax: 465-3532, email: [Lilla_Giles@gov.state.ak.us]

Office of the Governor: Public Notices
ACMP Consistency Review, Chilkoot Lake Dock

Publish Date: 06/30/99

Archive Date: 07/28/99

Location: Juneau, Southeast
Region

Body of Notice:

Alaska Coastal Management Program
Division of Governmental Coordination (DGC)

The following project is proposed in your area and is being reviewed for consistency with the Alaska Coastal Management Program. Your comments, particularly on the proposed project's consistency with the affected local coastal district management program, are requested.

Proposed Project & Location:

Installation of a 6ft. by 20ft. floating boat dock in Chilkoot Lake, Haines, to moor (4) 28ft. pontoon boats used by Chilkoot Lake Tours for sightseeing and fishing trips.

Applicant/Agent: Chilkoot Lake Tours/Shane Horton
Project Number: State ID # AK 9906-14JJ
Project Name: Chilkoot Lake Dock

Deadline for written comments: July 27, 1999

For more information or to submit comments contact:

Division of Governmental Coordination

P.O. Box 110030

240 Main Street, Suite 500

Juneau, AK 99811-0030

Contact: Jen Garland

Phone: 465-3177

Fax: 465-3075

Email: [Jennifer_Garland@Gov.state.ak.us]

Your comments, addressed directly to DGC, are required to preserve your rights to file a petition under Alaska Statute 46.40.100(b)(1). Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the number above.

Dated at Juneau on June 24, 1999

Office of the Governor: Public Notices

ACMP Consistency Review, Savoonga Airport ANICS Facility

Publish Date: 06/30/99

Archive Date: 07/29/99

Location: Northern Region

Body of Notice:

The following project is proposed in your area and is being reviewed for consistency with the Alaska Coastal Management Program. Your comments, particularly on the proposed project's consistency with the affected local coastal district management program, are requested.

Proposed Project & Location: The project is a Phase II ANICS facility located at the airport in Savoonga, Alaska. The ANICS is a communication system that would include a 4.5 meter antenna and an emergency diesel generator that would be placed in a 28-foot Radome on top of a loadframe. A 500-gallon above-ground fuel tank would be located outside the Radome. The facility would be built on a two-foot deep gravel pad and have a 178-foot long, 9-foot wide gravel access trail to connect it to an existing automated weather site. The fuel storage facility and emergency generator would have secondary containment incorporated as part of the project.

Applicant/Agent: FAA/New Horizons Telecom, Inc.

Project Number: State Id # AK 9906-13AA

Project Name: Savoonga Airport ANICS Facility

Deadline for written comments: July 28, 1999

For More Information or to submit comments contact:

Division of Governmental Coordination

Southcentral Regional Office

3601 C. Street, Suite 370

Anchorage, AK 99503-5930

Contact: Maureen McCrea

Phone: 269-7473

Fax: 561-6134

Email: [maureen_mccrea@gov.state.ak.us]

Your comments, addressed directly to DGC, are required to preserve your rights to file a petition under

Alaska Statute 46.40.100(B)(1). The State Of Alaska, Division of Governmental Coordination, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the number above.

Dated at Anchorage, AK on 6/25/99

Office of the Governor: Public Notices
ACMP Consistency Review, Seward Highway Reconstruction MP8 to MP18

Publish Date: 06/28/99

Archive Date: 08/01/99

Location: Anchorage, Central
Region, Seward

Body of Notice:

The following project is proposed in your area and is being reviewed for consistency with the Alaska Coastal Management Program and for a right-of-way by the Department of Natural Resources, Division of Lands. Your comments, particularly on the proposed project's consistency with the affected local coastal district management program, are requested.

Proposed Project & Location:

The project is the reconstruction of the Seward Highway from MP 8 to MP 18. The project involves widening the roadway from 7.3 meters to 10.8 meters with additional improvements for auxiliary truck climbing lanes, grade separation at the MP 14 Alaska Railroad Crossing and new drainage structures. Gravel will come from near by private sources. The new drainage structures include:

Extending the grouse Creek Box Culvert at MP 8.3, by approximately 2.5 meters on the west side and 3.5 meters on the east side of the highway. Minor stream changes will be involved at this crossing and in-stream work is planned. There will be some minor bank work, but in stream work would be minimal beyond the box culvert extension.

Reduce the existing relocation of a major fork of Grouse Creek at MP 10.7 from 200 m to about 60 m with some minor stream alignment changes.

Remove four 36" culverts at MP 16 (locally referred to as Youth Hostel Creek) and construct a two twin 3.8 meter by 2.4 meter diameter arch pipe culverts approximately 28 meters long. The inlet and outlet would be protected with headwalls buried approximately one meter and Class 1 riprap would be place approximately 5 meters upstream and downstream of the headwalls.

Construct a 10-meter wide overflow channel on the west side of the highway to handle floodwaters greater than a Q2 flood. A concrete weir would be formed into the into the box culvert headwall to maintain Grouse Creek in its present location

Additional work will entail:

Repaving the turnout at Mile 8.2

Surface the turnout at Mile 10.9

Construct a scenic overlook/reststop in the Snow River Valley at MP 12.5, this will be on top of excess material excavated during the project

Repave the turnout at Mile 13.2

Replace 48" culvert at MP 9.1 with a fish pipe.

Install a new cross pipe for flow equalization at MP 13.2

Obliterate the existing highway in areas of realignment down to original ground.

Plant woody vegetation (sprigs and rooted bundles) between the highway and an earlier stream realignment near M.P.17.

Provide a widened area behind the guardrail so tourist can safely take pictures at Reflection Lake.

The project is located within lands owned by the State of Alaska in T1N, R1W, Sec. 1; T2N, R1W, Secs. 24, 25, 36; T2N, R1E, Secs. 6,7,18,19, S.M.

Applicant: Alaska Department of Transportation and Public Facilities
3132 Channel Drive
Juneau, AK 99801
Contact: Bill Ballard -- 907/465-6954

Project Number: State Id # AK 9906-08AA
Project Name: Seward Highway Reconstruction MP 8 to MP 18
DNR Application Number: ADL 227555

Deadline for written comments: July 31, 1999

For more information or to submit comments contact:

Division of Governmental Coordination
Southcentral Regional Office
3601 C. Street, Suite 370
Anchorage, AK 99503-5930

Contact: Jennifer Nolan Wing
Phone: 269-7475
Fax: 561-6134
Email: [Jennifer_Wing@gov.state.ak.us]

Your comments, addressed directly to DGC, are required to preserve your rights to file a petition under Alaska Statute 46.40.100(B)(1). The State Of Alaska, Division of Governmental Coordination, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the number above.

The Department of Natural Resources, Division of Lands, reserves the right to waive technical defects in this notice.

Dated at Anchorage, AK on June 21, 1999

Office of the Governor: Public Notices
ACMP Consistency Review, State Parks Chilkoot Lake Docks

Publish Date: 06/30/99

Archive Date: 08/01/99

**Location: Juneau, Southeast
Region**

Body of Notice:

The following project is proposed in your area and is being reviewed for consistency with the Alaska Coastal Management Program. Your comments, particularly on the proposed project's consistency with the affected local coastal district management program, are requested.

Proposed Project & Location: Moorage of 2 20 ft. x 6 ft. docks in Chilkoot Lake for summer public use.

Applicant/Agent: DNR - Division of Parks/Bill Zack
Project Number: State ID # AK 9906-17JJ
Project Name: State Parks Chilkoot Lake Docks

Deadline for written comments: July 31, 1999

For more information or to submit comments contact:

Division of Governmental Coordination

P.O. Box 110030

240 Main Street, Suite 500

Juneau, AK 99811-0030

Contact: Jen Garland

Phone: 465- 3177

Fax: 465-3075

Email: [Jennifer_Garland@Gov.state.ak.us]

Your comments, addressed directly to DGC, are required to preserve your rights to file a petition under Alaska Statute 46.40.100(b)(1). Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the number above.

Dated at Juneau on June 28, 1999

Office of the Governor: Public Notices
Denali Commission Meeting-7/6/99-Anch

Publish Date: 06/30/99

Archive Date: 07/07/99

**Location: Anchorage,
Teleconference**

Body of Notice:

Notice of Public Meeting
Denali Commission

The Commission will hold it's first public meeting from 3 p.m to 6 p.m. on Tuesday, July 6, 1999, at the Governor's conference room located at 3601 C Street (Room 758) in Anchorage, Alaska. The proposed agenda will include the mission of the Commission, funding criteria and proposed projects. Anyone interested in participating by teleconference can call 751-8000 in Anchorage or toll free outside the Anchorage area, 1-877-751-8001. Public comment will be taken between 4-5:30 p.m. For additional information contact Corrine Eilo, Operations Director of the Denali Commission, at 907-271-1414.

Newly Filed Regulations- Reg. 151, Oct. Supplement

Publish Date: 06/30/99

Archive Date: 07/07/99

Location: Statewide

Body of Notice:

See the attached list of regulations recently filed by the Lieutenant Governor which will be published in Register 151 of the Alaska Administrative Code (October supplement).

Public Safety: Competitive & Other Solicitations Seeking Professional Services -- Software Development

Publish Date: 06/30/99

Archive Date: 07/29/99 03:00:00
PM

Location: Statewide

Body of Notice:

The Department of Public Safety is seeking professional services to provide supplemental technical expertise and programming support to assist the Division of Administrative Services, Information Systems Section, in meeting its software development requirements. Applicants must have expert knowledge of State and National criminal justice computer systems, including previous experience in developing software for automated law enforcement and criminal history records systems. The project scope and performance information is available from Kathleen L. Mather, Data Processing Manager, Department of Public Safety, 5700 East Tudor Road, Anchorage, AK 99507. Responses should be submitted to the same address and are due by Thursday, July 29 at 3 p.m. Alaska Daylight Savings Time.

Public Safety: Competitive & Other Solicitations Wanted To Purchase -- Aluminum Boats

Publish Date: 06/30/99

Archive Date: 07/20/99 03:00:00
PM

Location: Statewide

Body of Notice:

The State of Alaska, Department of Public Safety, Division of Fish and Wildlife Protection, seeks to acquire three (3) new deep "V" aluminum rigid hull boats equipped with closed cell foam collars. The boat hulls shall be constructed of 1/4 inch 5086 aluminum alloy minimum. The boats shall be fitted with solid closed cell polyethylene foam collars which are coated with .190" UV stable, abrasion resistant, polyurethane minimum. These collars shall wrap around the vessel from bow to stern and provide floatation, stability, and fendering capability. One boat shall be 21 feet in length and be an open center console design. The other boats shall be 27 feet in length and be fitted with fully-enclosed aluminum cabins, small galley structures, and v-berths. These boats shall be fitted with outboard engines. All potential bidders must have a minimum of five years experience in the design and construction of vessels of this type. Bidders must have an available representative capable of correcting defects or hon

oring warranties in Alaska. If your firm manufactures and/or distributes such a craft, and can provide local service that you feel meets these requirements, contact Captain Al Cain, Fish & Wildlife Protection, 5700 East Tudor Road, Anchorage, AK 99507; phone (907) 269-5589 or fax (907) 269-5616, prior to 3 p.m. on July 20, 1999.

Public Safety: Competitive & Other Solicitations
Wanted To Purchase -- Kodiak Enforcement Vessel

Publish Date: 06/30/99**Archive Date:** 07/19/99 04:30:00
PM**Location:** Statewide**Body of Notice:**

The State of Alaska, Department of Public Safety, desires to purchase a new or existing vessel suitable for patrol use around Kodiak Island. The following specifications are desirable:

55'to 65' in length
18-knot to 24-knot cruising speed
750-mile minimum crising range
Male and female living quarters and accommodations
6' draft, or shallow draft desirable
Ability to pull and stack 6X6 shellfish or finfish pots
Ability to put a 21' patrol skiff on deck
Twin diesel inboard propulsion engines
Two electrical generators, one 30 KW and one 15 KW, approximate
Deck crane for moving pots and loading supplies

The vessel must be suitable for operations in winter ocean environments around Kodiak Island and Shelikof Strait. USA construction required. Vessel must be less than 10 years old or newly constructed. The State desires a vessel in good condition and current on repairs and maintenance. The State desires certain sea-keeping characteristics, and vessels meeting these will be given higher priority for selection. The vessel should present a neat and clean appearance, having no need of major repairs.

The Department has a budget of \$700,000 for the project. This is a first advertisement to gather information. If you have or can construct a vessel meeting these specifications and wish to submit a non-binding informational estimate for review, send vessel surveys, pictures, description or other information to Captain Al Cain, Alaska Department of Public Safety, 5700 East Tudor Road, Anchorage, AK 99507; phone (907) 269-5589 or fax (907) 269-5616. Submit your information before July 20, 1999, for consideration.

Revenue: Agency Meetings

**Alaska Permanent Fund Corporation Audit & Agenda Planning Committee
Meetings**

Publish Date: 06/29/99**Archive Date:** 07/14/99**Location:** Anchorage**Body of Notice:**

Tuesday, July 13, 1999, 2:00 p.m.
Location of Meeting
KPMG Peat Marwick
(6th Floor Conference Room)
601 West 5th Avenue
Anchorage, Alaska

The Audit Committee of the Alaska Permanent Fund Corporation (APFC) will meet to discuss the QED status report; real estate issues; KPMG briefing on 1999 financial audit scope; and the scope of the workflow audit. Directly following the Audit Committee meeting, the Agenda Planning Committee of the

APFC will meet to develop the agenda for the August 13, 1999 Board of Trustees Retreat. The meeting is open to the public, but does not provide for public testimony. Agenda times may vary and the Chair may reorder agenda items.

The Alaska Permanent Fund Corporation complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications should contact Sandra Firestack at 465-2078 or 465-4355 (TTY/TDD) three days prior to meeting.

Revenue: Public Notices

Upcoming Board Member Election For Alaska State Pension Investment Board

Publish Date: 06/30/99

Archive Date: 07/30/99

Location: Juneau

Body of Notice:

An election will be held during 1999 to fill one of the elected seats on the Alaska State Pension Investment Board. A candidate must be a member of the Teachers' Retirement System.

The ASPIB has fiduciary responsibility for management and investment of the state retirement funds, the Supplemental Benefits Program (SBS), and the Deferred Compensation Program (DCP). The ASPIB consists of two elected members from the Public Employees' Retirement System (PERS), two elected members from the Teachers' Retirement System (TRS), three members appointed by the Governor, and the Commissioner of the Department of Revenue (DOR). The term of office for one of the TRS members elected by the TRS membership will expire on December 31, 1999. The winning candidate will serve a four-year term commencing January 1, 2000. If the top vote-getters for this seat receive the same number of votes, there will be a runoff election.

A nomination for a trustee's seat may be made by the Teachers' Retirement Board or by petition on a form available from the Liaison Officer of the Alaska State Pension Investment Board, Department of Revenue. A nominating petition must include:

- (1) the nominee's name and address;
- (2) a statement of the nominee's willingness to serve;
- (3) a narrative biographical sketch not to exceed 150 words; and
- (4) the printed names, signatures, and addresses of at least 10 members of the TRS.

Nominating petitions will be available by May 17, 1999. Nominating petitions must be completed and returned to Judy Hall at the Alaska State Pension Investment Board by 4:30 p.m. ADST, July 30, 1999. Members are encouraged to either hand deliver or send their petitions by certified mail.

Nominating petitions may be obtained by writing or calling:

Alaska State Pension Investment Board
P.O. Box 110405
Juneau, Alaska 99811-0405
Attn: Judy Hall, Liaison Officer
907 465-3749

Nominating petitions should be received by the ASPIB as early as possible so that nominees will have an opportunity to correct illegible or incomplete petitions before the July 30, 1999 deadline. Petitions will not be accepted after the deadline. Corrections will not be accepted after the deadline.

Once the petitions are validated, ballots containing the names of the eligible candidates, biographical sketches, and voting instructions will be mailed to all TRS members. Ballots will be mailed on or about

September 17, 1999, with voting deadline/ballot counting on October 22, 1999.

If you are a person with a disability who may need a special accommodation in order to participate in the process, please contact Judy Hall, Liaison Officer, at 907 465-3749 no later than July 1, 1999 to make any necessary arrangements.

Transportation & Public Facilities: Competitive & Other Solicitations
Cancellation/Geist Rd/Fairbanks Street Signalized Intersection/Loftus Rd

Publish Date: 06/30/99

Archive Date: 07/08/99

Location: Northern Region

Body of Notice:

Geist Road/Fairbanks Street Signalized Intersection & Geist Road/Loftus Road Left Turn Lanes, Project No. HHE-0668(8)/60284. This is to notify bidders that the solicitation for the referenced project has been cancelled. We anticipate combining this work with a larger project in the immediate vicinity in the very near future.

Transportation & Public Facilities: Competitive & Other Solicitations
Intent To Award/Richardson Hwy. Mp 308-311 Rehabilitation Project

Publish Date: 06/29/99

Archive Date: 07/05/99

Location: Northern Region

Body of Notice:

Richardson Hwy. MP 308-311 Rehabilitation Project No.IM-0A2-2(12)/66440. The Department of Transportation and Public Facilities has advised M-B Contracting, Co., Inc., that on the basis of their bid submitted on June 15, 1999, in the amount of \$1,167,832.63, for the construction of the work of the referenced project, they have been declared low bidder.

This only constitutes intent to award. A contract will not be in force until required documentation is fully executed by the department and a Letter of Award and Notice to Proceed are issued. Work prior to that Notice is unauthorized and the state will assume no responsibility for the work, the work site, or any event arising therefrom.

All bidders are advised that they have a right to protest the award of this contract under Alaska Statutes, Title 36. The Contracting Officer must receive all protests no later than July 5, 1999. (Final submission date)

Transportation & Public Facilities: Competitive & Other Solicitations
Invitation To Bid /Dehumidifiers For The M/V Malaspina/Itb 25S00001M

Publish Date: 06/29/99

Archive Date: 07/20/99

Location: Juneau

Body of Notice:

Invitation to Bid No. 25S00001M. The Department of Transportation and Public Facilities, Southeast Procurement Office, is soliciting bids for desiccant type dehumidifiers for the M/V Malaspina. The bid opening due date and time are July 19, 1999 at 2:00 PM. Copies of this solicitation can be obtained by contacting Amy Courtney, Procurement Officer, 3132 Channel Drive, Juneau, AK 99801-7898 (phone: 907-465-1766; fax: 907-465-2024; email: Amy_Courtney@dot.state.ak.us).

Transportation & Public Facilities: Competitive & Other Solicitations
Invitation To Bid/Fy99 Seismic Retrofit

Publish Date: 06/30/99

Archive Date: 07/17/99

Location: Anchorage

Body of Notice:

Project No. BR-000S(261)/74044. Sealed bids in single copy for furnishing all Labor, Materials and Equipment, and performing all work on Project No. BR-000S(261)/74044, FY99 Seismic Retrofit will be received until 2:00 P.M. prevailing time, July 16, 1999 in the main conference room at 4111 Aviation Avenue, Anchorage, Alaska.

This project will retrofit nineteen bridges in the region with bearing seat widening, shear keys, restrainer cables, timber blocking, and bearing replacement. The Engineer's estimate is between \$1,000,000 and \$2,500,000. All work shall be completed by September 1, 2000.

Bid documents are available for inspection at the Department of Transportation & Public Facilities offices in Anchorage, Fairbanks, and Juneau and purchased for \$50.00 per set, payable to the State of Alaska, from Central Region Plans Room, 4111 Aviation Avenue, Anchorage, Alaska, 907-269-0408. Select "Contracting and Procurement" on the Department of Transportation & Public Facilities web site for additional information (www.dot.state.ak.us).

Transportation & Public Facilities: Competitive & Other Solicitations
Invitation To Bid/Lake Aleknagik Scenic Overlook

Publish Date: 06/30/99

Archive Date: 07/15/99

Location: Anchorage

Body of Notice:

Sealed bids in single copy for furnishing all Labor, Materials and Equipment, and performing all work on Project No. TEA-0410(3)/53460 Lake Aleknagik Scenic Overlook will be received until 2:00 P.M. prevailing time, July 14, 1999 in the main conference room at 4111 Aviation Avenue, Anchorage, Alaska.

This federally-funded project consists of developing State Park Facilities near Aleknagik, Alaska. The project includes paving of existing road and parking areas, improving an existing caretakers cabin, a boat ramp, sidewalks, stairs, vaulted toilet, picnic shelter, interpretive kiosks, and other park facilities. Project completion date is June 30, 2000. The Engineer's Estimate is between \$1,000,000 and \$2,500,000.

Bid documents are available for inspection at the Department of Transportation & Public Facilities offices in Anchorage, Fairbanks,, and Juneau and purchased for \$100.00 per set, payable to the State of Alaska, from Central Region Plans Room, 4111 Aviation Avenue, Anchorage, Alaska, 907-269-0408. Select "Contracting and Procurement" on the Department of Transportation & Public Facilities web site for additional information (www.dot.state.ak.us).

Transportation & Public Facilities: Competitive & Other Solicitations
Letter Of Award/Notice To Proceed/Richardson Hwy. Mile 6-14 Rehabilitation

Publish Date: 06/29/99

Archive Date: 07/08/99

Location: Northern Region

Body of Notice:

Richardson Hwy. Mile 6-14 Rehabilitation, STP-071-1(61)/67032. The Department of Transportation and Public Facilities has advised Wilder Construction Co. Inc., that they are in receipt of the contract and other documents required by the Letter of Intent to Award. These documents are accepted and approved and advised Wilder Construction Co. Inc. has been awarded the contract in the amount of \$1,672,853.58. Contract completion time is 180 calendar days.

Transportation & Public Facilities: Competitive & Other Solicitations
Proposal To Enter Into A Boundary Crossing Permit At Skagway Airport

Publish Date: 06/29/99

Archive Date: 08/09/99

Location: Other

Body of Notice:

The Department of Transportation and Public Facilities, State of Alaska, proposes to execute a boundary crossing permit summarized as follows:

File No.: ADA-50368

Applicant: TEMSCO Helicopters, Inc.

Term: 20 years

Use: Access to airport property from private property

Rate: \$650.00 per year

This file is available for inspection during regular business hours, Monday through Friday, at the Department of Transportation and Public Facilities, Maintenance and Operations, 6860 Glacier Highway, Juneau, Alaska 99801. Comments must be submitted in writing to DOT&PF, Leasing and Property Management, 6860 Glacier Highway, Juneau, Alaska 99801 and must be received at this office on or before the close of business August 9, 1999. The department will then determine whether or not to execute the contract.

Persons with a disability who may need special accommodations for information on this file should contact the Office of the Southeast Regional Director, at telephone number (907) 465-1763, text telephone (TTY/TDD) (907) 465-4647.

The department reserves the right to correct technical defects in the premises description, lease term, or the purposes of any lease issued and may reject any or all applications.

A public hearing regarding this contract will be held, if in the opinion of the commissioner, a hearing is justified.

Transportation & Public Facilities: Public Notices
**Public Meeting On Eagle River Road And Eagle River Loop Road
Rehabilitation**

Publish Date: 06/30/99

Archive Date: 07/16/99

Location: Central Region

Body of Notice:

Project Numbers 53943 and 53936. The Alaska Department of Transportation & Public Facilities is conducting a Preliminary Design Public Meeting on the Eagle River Road and Eagle River Loop Road Rehabilitation projects. This meeting will be held at the Eagle River Municipal Conference Room, Valley River Center at 11901 Business Boulevard on Thursday, July 15, 1999 from 6:00 p.m. to 8:00 p.m.

The preliminary scope of work for the projects is to increase the width of the roadways, provide left turn lanes, shoulder widening, vertical sight distance improvements, and pedestrian facility improvements.

The public meeting will be held in an open house format and participants may attend at any time during the scheduled hours. Alaska Department of Transportation & Public Facilities staff will be available to discuss the projects and take public comment.

Persons wishing to submit written statements for the public record may deliver them to the Open House Public Meeting or mail them to the following address.

Miriam Tanaka, P.E., Project Manager, Alaska Department of Transportation & Public Facilities, Preliminary Design Section, P.O. Box 196900, Anchorage, Alaska 99519-6900.

Comments must be received by 4:00 p.m. on August 27, 1999 to become part of the official record.

For additional information please contact Miriam Tanaka at (907) 269-0546. Individuals with hearing impairment can contact Alaska Department of Transportation & Public Facilities at our Telephone Device for the Deaf (TDD) number, 269-0473. We are able to offer, upon request, reasonable accommodations for special needs related to other disabilities.

University of Alaska: Competitive & Other Solicitations
Advertising for UAF Department of Athletics - RFP No. 99P0023JH

Publish Date: 06/25/99

Archive Date: 07/15/99

Location: Fairbanks, Statewide

Body of Notice:

Advertising for the UAF Department of Athletics
Request For Proposals Number 99P0023JH

Notice is hereby given that sealed proposals will be received by the University of Alaska Fairbanks until 3:00 p.m. local time on July 15, 1999, for Advertising for the UAF Department of Athletics, Request For Proposals Number 99P0023JH. Copies of the proposal may be obtained from the UAF Purchasing Office, 3295 College Road, 103 Administrative Services Center, PO Box 757940, Fairbanks, AK 99775-7940, telephone 907/474-7315.

The University of Alaska reserves the right to reject any or all bids, offers, or parts thereof it deems necessary, to waive any informality in the bid or offer received, and to award in the best interest of the University.