

Alaska State Legislature

House of Representatives



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House Bill 6:

Removing a Regent

Explanation of changes between

CS for HB 6 (27-LS0027\O.A) to SCS for CS for HB 6 () (27-LS0027\Y)

At the suggestion of the Board of Regents, several changes have been incorporated into the "Y" version.

Section 1: (a)(3) has been changed to state that it is not clear whether the Board of Regents has the constitutional authority to suspend or remove a regent. There was also one grammatical change to (b)(1) changing "with" to "for."

Section 2: (a) contains a minor grammatical change.

Section 2: (a)(3) contains a minor grammatical change.

Section 2: (a)(4) has been changed to make the suspension procedure, in the case of a complaint of malfeasance or nonfeasance in office, more rigorous. The "L" version new requires: (1) a sworn complaint, (2) the governor must investigate the allegations, and then (3) find "probable cause" to proceed further. "Probable cause" is defined to require a statement of the specific factual bases for the allegations plus objective evidence of substantial and material malfeasance or nonfeasance. The new language will also prohibit proceedings based on political differences or the discretionary performance of a lawful act or a prescribed duty. This paragraph also contains a few minor grammatical changes.

Section 2: (a)(5) was changed to require a formal allegation or charge by a licensing board to proceed under this provision, AS 14.40.155(a)(5).

Section 2: (d) was changed to require that, if a hearing is to be held, the Office of Administrative Hearings conduct it. The hearing officer will be required to issue a decision.

Section 2: (g)(5) was changed to clarify that a violation of a professional or occupational licensing statute or regulation that results in the revocation or suspension of a professional or occupational licensing statute be found to suspend or remove a regent under this provision, AS 14.40.155(g)(5).

Section 2: (g) also contains a few minor grammatical changes.

Section 3 was added to include these hearings to the list of hearings conducted by the Office of Administrative Hearings.