

**HOUSE BILL NO. 237**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 4/13/07

Referred: State Affairs. Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act authorizing the governor to remove or suspend a member of the Board of  
2 Regents of the University of Alaska for good cause; establishing a procedure for the  
3 removal or suspension of a regent; and providing for an effective date."

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

5 \* **Section 1.** AS 14.40 is amended by adding a new section to read:

6 **Sec. 14.40.155. Removal and suspension of regents.** (a) The governor may  
7 remove a member of the Board of Regents for good cause by providing

8 (1) a copy of the allegations pertaining to the reasons for removal;

9 (2) an opportunity for a hearing on the allegations; and

10 (3) at least 10 days' notice of a hearing if a hearing is requested; the  
11 notice must include the applicable rules governing the conduct of the hearing.

12 (b) After removal of a regent for good cause under (a) of this section, the  
13 governor shall file with the lieutenant governor a copy of the allegations made against  
14 the former regent, the governor's findings on each of the allegations, and a complete

1 record of the removal proceedings.

2 (c) The governor may, after providing notice and an opportunity for a hearing,  
3 suspend a member of the Board of Regents while final disposition is pending on

4 (1) a criminal complaint, presentment, information, or indictment  
5 involving a felony in any jurisdiction;

6 (2) an information or formal criminal charges of a misdemeanor  
7 described under (f)(3) of this section; or

8 (3) allegations of nonfeasance in office described under (f)(4) of this  
9 section under consideration by the governor.

10 (d) A regent who has been suspended under (c) of this section may, at any  
11 time, request a hearing to lift the suspension.

12 (e) A hearing conducted by the governor or the governor's designee involving  
13 the suspension of a regent under (c) of this section must provide an opportunity to  
14 defend against the stated grounds for suspension or to show cause why the suspension  
15 should be lifted after a suspension is imposed.

16 (f) In this section, "good cause" means

17 (1) a violation of AS 39.52 (Alaska Executive Branch Ethics Act);

18 (2) conviction of a felony in any jurisdiction;

19 (3) conviction of a misdemeanor in any jurisdiction if the misdemeanor

20 involves

21 (A) dishonesty;

22 (B) breach of trust; or

23 (C) the University of Alaska;

24 (4) nonfeasance in office, including

25 (A) misconduct in office;

26 (B) an inability to serve;

27 (C) neglect of duty;

28 (D) incompetence;

29 (E) unjustified failure to perform the duties of the Board of

30 Regents;

31 (5) failure to continue to meet the requirements of AS 14.40.130 that

1           relate to the qualifications of a regent.

2       \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4           **APPLICABILITY.** AS 14.40.155, added by sec. 1 of this Act, applies to all conduct  
5 and acts that occurred or continue to occur after the effective date of this Act.

6       \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).