

1 IN THE SENATE

BY SENATOR GORSUCH
Robison

2 SENATE BILL NO. 3

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to amend Sections 37-2-1 and
7 37-2-2 ACLA 1949, pertaining to the
8 election of a Board of Education and the
9 qualifications of the members thereof."

10 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

11 Section 1. Section 37-2-1 ACLA 1949 is hereby amended to
12 read as follows:

13 Section 37-2-1. Creation: Members, appointment and
14 terms: Vacancies. The Board of Education for the Territory
15 of Alaska shall consist of five (5) members, (APPOINTED BY
16 THE GOVERNOR,) one elected from each Judicial Division,
17 and one elected from the Territory at large. (THE TERM OF
18 OFFICE OF EACH MEMBER OF THE BOARD SHALL BE SIX (6) YEARS,
19 EXCEPT THAT OF THE FIRST MEMBERS APPOINTED UNDER THIS ACT
20 (SECTIONS 37-2-1 - 37-2-7, 37-2-9, 37-2-10, 37-2-22,
21 37-2-23, 37-2-29 HEREIN), TWO (2) SHALL BE APPOINTED TO
22 SERVE UNTIL APRIL 1, 1935, TWO (2) UNTIL APRIL 1, 1937 AND
23 ONE (1) UNTIL APRIL 1, 1939 OR UNTIL THEIR SUCCESSORS ARE
24 APPOINTED AND QUALIFIED. ALL APPOINTMENTS BY THE GOVERNOR
25 SHALL BE SUBJECT TO THE APPROVAL OF A MAJORITY OF ALL OF
26 THE MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES OF
27 THE LEGISLATURE IN JOINT SESSION ASSEMBLED, AND THE NAMES
28 OF THE APPOINTEES TO SUCCEED MEMBERS WHOSE TERMS OF OFFICE
29 EXPIRE ON THE FIRST DAY OF APRIL FOLLOWING SHALL BE

1 SUBMITTED TO THE LEGISLATURE FOR CONSIDERATION WITHIN FIVE
2 DAYS AFTER THE OPENING OF THE BIENNIAL SESSION OF THE
3 LEGISLATURE, PROVIDED, THAT WHEN AN APPOINTMENT IS MADE AT
4 A TIME WHEN THE LEGISLATURE IS NOT IN SESSION THE
5 APPOINTMENT SHALL BE SUBMITTED TO THE LEGISLATURE FOR
6 APPROVAL WITHIN FIVE (5) DAYS AFTER THE OPENING OF THE
7 FIRST SESSION OF THE LEGISLATURE AFTER SUCH APPOINTMENT,
8 AND SUCH APPOINTEE MAY DISCHARGE THE FUNCTIONS OF THE
9 OFFICE UNTIL THE LEGISLATURE EITHER DISAPPROVES OR FAILS
10 TO APPROVE THE APPOINTMENT. IF ANY SUCH APPOINTMENT BE
11 DISAPPROVED BY THE LEGISLATURE ANOTHER NAME SHALL BE
12 SUBMITTED WITHIN THREE (3) DAYS AFTER SUCH DISAPPROVAL.
13 ANY APPOINTEE WHOSE NAME HAS BEEN SUBMITTED TO THE
14 LEGISLATURE FOR APPROVAL AND HAS FAILED OF SUCH APPROVAL,
15 SHALL NOT BE ELIGIBLE TO HOLD OFFICE AS A MEMBER OF THE
16 BOARD UNDER ANY APPOINTMENT THEREAFTER MADE AND NOT
17 APPROVED BY THE LEGISLATURE.) Such members shall be
18 elected at the Territorial General Election, beginning with
19 the 1954 election, for a four year term, except that of the
20 first members elected to the Board, the member elected
21 from the First Judicial Division and the member elected
22 from the Third Judicial Division shall each be elected for
23 a two year term.

24 Vacancies in the Board of Education shall be filled
25 by (APPOINTMENT BY THE GOVERNOR, IMMEDIATELY UPON NOTICE
26 BY THE BOARD THAT A VACANCY EXISTS) popular election at the
27 next general election held after the vacancy occurs. Any
28 person so elected shall take office on the first day of
29 April next after his election and shall serve out the

1 unexpired term of the Board member whose vacancy he was
2 elected to fill. The Governor shall appoint a qualified
3 person to fill a vacancy until such vacancy can be filled
4 by election.

5 Section 2. Section 37-2-2 ACLA 1949 is hereby amended to
6 read as follows:

7 Section 37-2-2. Qualifications of members: Members
8 not to be engaged as professional educators. No one shall
9 be elected or appointed as a member of the Board of
10 Education unless he is a citizen of the United States,
11 is at least thirty (30) years of age, and is a resident of
12 the Territory, and of the Division from which he is
13 elected or appointed and has been such a resident
14 continuously for at least three (3) years immediately
15 preceding his appointment. No member of the Board shall
16 during his term of office be engaged as a professional
17 educator.