

1 IN THE HOUSE

BY MESSRS. FISHER, GIERSDORF AND GREUEL

2 SUBSTITUTE FOR HOUSE BILL NO. 106

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to determination of  
7 mental or physical disability or continuous  
8 absence from office of the Governor."

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

10 Section 1. DETERMINATION OF EXECUTIVE DISABILITY OR CONTINU-  
11 OUS ABSENCE FROM OFFICE. Whenever for a period of six months, a  
12 governor has been continuously absent from office or has been  
13 continuously unable to discharge the duties of the office by reason  
14 of mental or physical disability, the office shall be deemed vacant  
15 upon a finding of mental or physical disability or continuous  
16 absence from office by the House of Representatives according to  
17 the procedure set forth herein.

18 Sec. 2. INITIATION OF PROCEEDING. A proceeding to determine  
19 mental or physical disability or continuous absence from office of  
20 a governor shall be originated by a motion in the Senate of the  
21 State of Alaska which shall specifically and fully state the  
22 reasons for initiating the proceedings. The motion shall require  
23 concurrence of two-thirds of the members of the Senate.

24 Sec. 3. HEARING PROCEDURE: VOTE ON FINDING. Within ten days  
25 of the Senate's passing the motion finding that the governor has  
26 been continuously absent from office or has been unable to discharge  
27 the duties of his office by reason of mental or physical disability,  
28 the House of Representatives shall hold a public hearing to receive  
29 evidence supporting or disproving the Senate's motion. The hearing

1 shall be presided over by a Supreme Court Justice designated by  
2 the Supreme Court. Upon conclusion of the public hearing, findings  
3 that the governor has been continuously absent from office or has  
4 been unable to discharge the duties of his office by reason of  
5 mental or physical disability, shall be arrived at only by con-  
6 currence of two-thirds of the members of the House of Representa-  
7 tives.

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Sub. for HB #106  
Engrossed as amended