

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST

2 SENATE BILL NO. 3

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to add Ch. 1B to Title 11, ACLA
7 1949; providing uniformity of tenure for
8 the officers of the State; repealing prior
9 inconsistent laws; and setting an effective
10 date."

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

12 Section 1. Ch. 1B is hereby added to Title 11, ACLA 1949,
13 to read as follows:

14 CHAPTER 1B

15 TENURE OF OFFICERS

16 Sec. 11-1B-1. DECLARATION OF INTENT. It is hereby declared
17 to be the intent and purpose of this Chapter to provide a uniform
18 tenure for officers of the State of Alaska, except the Secretary
19 of State, whether elected or appointed by the Governor or by a
20 board or commission, under Territorial or State law, and to pro-
21 vide that they shall henceforth serve at the pleasure of the
22 Governor of the State of Alaska. It is specifically the inten-
23 tion of the Legislature that the heads of all executive depart-
24 ments, offices or agencies of the State shall be responsible
25 solely to the Governor.

26 Sec. 11-1B-2. DEFINITIONS. As used in this Chapter:-

27 (1) The term "officer of the State" includes the heads
28 of all executive and administrative offices, departments, and
29 agencies of the State government, except the Secretary of State.

1 When a board, commission, authority, council or committee is at
2 the head of such an executive agency, its members are "officers
3 of the State" within the purview of this Chapter, and when such
4 a board, commission, authority, council or committee appoints
5 or has appointed a principal executive officer, such principal
6 executive officer is also an "officer of the State".

7 (2) The term "boards and commissions" means those
8 boards, commissions, authorities, councils or committees which
9 head executive and administrative offices, departments or agen-
10 cies of the State; such board, commissions, authorities,
11 councils or committees which are advisory in nature, or head
12 regulatory or quasi-judicial agencies do not fall within the
13 meaning of the term for the purposes of this Chapter.

14 (3) The term "State" means the State of Alaska and
15 shall include the Territory of Alaska or both.

16 (4) The term "tenure" means the right of an "officer
17 of the State", as hereinabove defined, to hold office after
18 appointment or election thereto, whether such appointment be
19 made under Territorial or State law or whether such election
20 be prior or subsequent to statehood.

21 Sec. 11-1B-3. TENURE OF OFFICERS OF THE STATE. Notwith-
22 standing the provisions of any other law on tenure of any
23 officer of the State, from and after the effective date of this
24 Chapter, such officers shall serve at the pleasure of the Gov-
25 ernor of the State of Alaska.

26 Sec. 11-1B-4. MEETINGS OF THE BOARDS AND COMMISSIONS.

27 (1) Notwithstanding the provisions of any other law
28 with respect to establishing the meeting date or session of any
29 board or commission, from and after the effective date of this

1 Chapter, such boards and commissions shall meet only at the
2 call of the Governor of the State of Alaska and shall consider
3 only those matters designated by him in his directive calling
4 the meetings, or those subject presented by him at the meeting.

5 (2) The Governor shall, as soon after the effective
6 date of this Chapter as is practicable, issue directives to
7 each board or commission setting the next meeting date and
8 designating the subject matter thereof. No such board or com-
9 mission shall meet or transact any business until in receipt of
10 such directive from the Governor.

11 Sec. 11-1B-5. REPEAL OF INCONSISTENT LAWS. All laws or
12 parts of laws in any way inconsistent with the provisions of
13 this Chapter are hereby repealed to the extent of such incon-
14 sistency. All rules, regulations, and executive orders, or
15 parts thereof, in any way inconsistent with the provisions of th
16 this Chapter are hereby abrogated to the extent of such incon-
17 sistency.

18 Sec. 2. EFFECTIVE DATE. This Chapter shall take effect
19 immediately upon its passage and approval, or upon its becoming
20 law without such approval.
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