

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 COMMITTEE SUBSTITUTE FOR 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 providing uniformity of
7 tenure for the officers of the State;
8 repealing prior inconsistent laws;
9 and setting an effective date."

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

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

21 Sec. 2. DEFINITIONS. As used in this Act:

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

25 (2) The term "boards and commissions" means those
26 boards, commissions, authorities, councils or committees which
27 head executive and administrative offices, departments or agencies
28 of the State; such boards, commissions, authorities, councils or
29 committees which are advisory in nature, or head regulatory or

1 quasi-judicial agencies do not fall within the meaning of the
2 term for the purposes of this Act, and include, among others,
3 the Territorial Board of Examiners in the Basic Sciences, the
4 Alaska Board of Chiropractic Examiners, the Territorial Medical
5 Board, the Board of Dental Examiners, the Alaska Board of Nurs-
6 ing, the Board of Examiners in Optometry, the Territorial Board of
7 Pharmacy, the Banking Board, the Alaska Bar Association, the
8 Board of Barber Examiners, the Alaska Territorial Board of Pub-
9 lic Accountancy, the Coal Miners' Examining Board, the Territor-
10 ial Board of Engineers and Architects Examiners, the Board of
11 Hairdressing and Beauty Culture Examiners, the Alaska Real Estate
12 Commission, the Conservation Advisory Committee, the Hospital
13 Advisory Council, the Alaska Industrial Board, the Board of
14 Liquor Control, the Insurance Commission to the extent of its
15 duties and powers to hold hearings or appeals from rulings or
16 orders from the Insurance Commissioner, and the Alaska Safety
17 Council to the extent of its authority to promulgate rules and
18 regulations relative to the furnishing of safe places of employ-
19 ment to employees and regulation for the safe and proper con-
20 struction, installation, repair and use and operation of boilers
21 and unfired pressure vessels, including the conducting of exam-
22 inations and issuance of certificates to applicants who qualify
23 as inspectors for the state or insurance companies.

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

26 (4) The term "tenure" means the right of an "officer
27 of the State", as herein defined, to hold office after appoint-
28 ment or election thereto, whether such appointment be made under
29 Territorial or State law or whether such election be prior or

1 subsequent to statehood.

2 Sec. 3. TENURE OF OFFICERS OF THE STATE. Notwithstanding
3 the provisions of any other law on tenure of any officer of the
4 State, from and after the effective date of this Act, such offi-
5 cers shall serve at the pleasure of the Governor of the State
6 of Alaska.

7 Sec. 4. MEETINGS OF THE BOARDS AND COMMISSIONS.

8 (1) Notwithstanding the provisions of any other law
9 with respect to establishing the meeting date or session of any
10 board or commission, from and after the effective date of this
11 Act, such boards and commissions shall meet only at the call of
12 the Governor of the State of Alaska and shall consider only those
13 matters designated by him in his directive calling the meetings,
14 or those subjects presented by him at the meeting.

15 (2) The Governor shall, as soon after the effective
16 date of this Act as is practicable, issue directives to each
17 board or commission setting the next meeting date and designating
18 the subject matter thereof. No such board or commission shall
19 meet or transact any business until in receipt of such directive
20 from the Governor.

21 Sec. 5. REPEAL OF INCONSISTENT LAWS. All laws or parts of
22 laws in any way inconsistent with the provisions of this Act are
23 hereby repealed to the extent of such inconsistency. All rules,
24 regulations, and executive orders, or parts thereof, in any way
25 inconsistent with the provisions of this Act are hereby abrogated
26 to the extent of such inconsistency.

27 Sec. 6. EFFECTIVE DATE. This Act shall take effect immed-
28 iately upon its passage and approval, or upon its becoming law
29 without such approval.