

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 tenure for  
7 the officers of the State; repealing prior  
8 inconsistent laws; providing for methods of  
9 calling meetings of certain boards and com-  
10 missions; and setting an effective date."

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

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

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

23 (1) The term "officer of the State" includes the ex-  
24 ecutive and administrative heads of all executive and administra-  
25 tive offices, departments, and agencies of the State government,  
26 except the Secretary of State.

27 (2) The term "boards and commissions" means those  
28 boards, commissions, authorities, councils or committees which  
29 head executive and administrative offices, departments or agencies

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

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

28 (4) The term "tenure" means the right of an "officer  
29 of the State", as herein defined, to hold office after appoint-  
CS for SB #3, as amended -2-

1 ment or election thereto, whether such appointment be made under  
2 Territorial or State law or whether such election be prior or  
3 subsequent to statehood.

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

9 Sec. 4. MEETINGS OF THE BOARD AND COMMISSIONS.

10 (1) Notwithstanding the provisions of any other law  
11 with respect to establishing the meeting date or session of any  
12 board or commission, from and after the effective date of this  
13 Act, such boards and commissions shall meet with the consent of  
14 the Governor of the State of Alaska after he has received and  
15 approved the complete agenda for the proposed meeting; or

16 (2) The Governor may, as soon after the effective  
17 date of this Act as is practicable, issue directives to each  
18 board or commission setting the next meeting date and designating  
19 the subject matter thereof.

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

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