

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

IN THE SENATE

BY THE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

SENATE BILL NO. 226

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to vocational rehabilitation; amending Sec. 37-9-6, ACLA 1949, as amended by Ch. 169, SLA 1955 and as repealed and reenacted by Ch. 144, SLA 1957; repealing Subsec. (1) of Sec. 37-9-6, ACLA 1949, as amended; amending Ch. 64, SLA 1959; and providing for an effective date."

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

Section 1. The opening paragraph of Sec. 37-9-6, ACLA 1949, as amended by Ch. 169, SLA 1955, and as repealed and reenacted by Ch. 144, SLA 1957 is amended to read as follows:

Sec. 37-9-6. The [TERRITORIAL] Alaska Board of Education [SUB NOMINEE BOARD OF VOCATIONAL REHABILITATION] which administers the program of vocational education is hereby designated as the Board of Vocational Rehabilitation to administer the vocational rehabilitation program and is authorized, and empowered to cooperate with any Federal Agency, as provided and required by Federal statutes for vocational rehabilitation and will observe and comply with all of the provisions of such Acts; and comply with such conditions as may be necessary to secure the full benefit of the Federal Vocational Rehabilitation Statutes, under the provisions of this law and of the rules and regulations adopted by said Board, and to do all of the things necessary to

1 entitle Alaska to receive the benefits of said Federal Acts.  
2 Said Board is further empowered to do all acts and things and  
3 to make such plans, rules and regulations as are necessary to  
4 properly carry out the provisions of said Act and the pur-  
5 poses of this Act. Said Board shall have the authority to  
6 appoint such administrative officers, and to delegate to them  
7 the authority required to carry out the provisions of this  
8 Act.

9 Sec. 2. Subsec. (1) of Sec. 37-9-6, ACLA 1949, as amended by  
10 Ch. 169, SLA 1957, is repealed.

11 Sec. 3. Subsec. (2) of Sec. 37-9-6, ACLA 1949, is amended by  
12 Ch. 144, SLA 1957, is amended to read as follows:

13 (1) [THE DIRECTOR, ALASKA OFFICE OF VOCATIONAL  
14 REHABILITATION SHALL BE APPOINTED BY THE] The Board shall  
15 appoint a director of [AS THE ADMINISTRATIVE OFFICER OF]  
16 the Alaska Office of Vocational Rehabilitation, who shall  
17 serve as the executive officer of the Board of Vocational  
18 Rehabilitation and who shall have such administrative  
19 authority as may be delegated to him by the Board [AND THE  
20 EXECUTIVE OFFICER] and as shall be necessary to carry out  
21 the provisions of this Act and the rules, regulations, and  
22 policies promulgated by the Board.

23 Sec. 4. The fourth paragraph of Sec. 11, Ch. 64, SLA 1959,  
24 the State Organization Act of 1959, is amended to read as follows:

25 There is hereby created within the Department of Educa-  
26 tion a Board of Education consisting of six members, appointed  
27 for overlapping three-year terms. The principal executive  
28 officer shall not be a member of the Board but shall be ex  
29 officio secretary and have the right to cast tie-breaking

1 votes only [.] ; provided, however, when the Board of Edu-  
2 cation sits as the Board of Vocational Rehabilitation, the  
3 Director of the Office of Vocational Rehabilitation shall be  
4 ex officio Secretary of the Board and shall have no vote  
5 except the right to cast tie-breaking votes only. The Board  
6 members shall be appointed by the Governor without regard to  
7 political affiliation, subject to confirmation by a majority  
8 of the members of the Legislature in joint session. In the  
9 appointment of Board members, the Governor shall give consi-  
10 deration to recommendations made by recognized educational  
11 associations in the State.

12 Sec. 5. The eighth paragraph of Sec. 11, Ch. 64, SLA 1959,  
13 the State Organization Act of 1959, is amended to read as follows:

14 All rules and regulations shall originate with the  
15 Commissioner of Education, but shall not become effective  
16 until approved by a majority of the Board of Education [.]  
17 ; provided, however, rules and regulations pertaining to  
18 vocational rehabilitation shall originate with the Director  
19 of the Office of Vocational Rehabilitation, and be presented  
20 to the Board for action in accordance with Section 37-9-6,  
21 ACLA as amended. In the event the Board of Education fails  
22 to approve such rules or regulations, public hearings shall  
23 be held concerning the issues in question. If, subsequent  
24 to public hearings, the Board and the Commissioner continue  
25 to disagree, the issue shall be certified in writing by the  
26 Board and the Commissioner to the Governor who shall make  
27 a decision thereon, which decision shall be final.

28 Sec. 6. This Act takes effect on the day after its passage  
29 and approval or on the day it becomes law without such approval.