

1 IN THE HOUSE

BY MR. BAGGEN

2

HOUSE BILL NO. 63

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SECOND LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the organization of the
7 Department of Education; amending Sec. 11,
8 Ch. 64, SLA 1959, as amended by Sec. 4, Ch.
9 79, SLA 1960; and providing for an effective
10 date."

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

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Section 1. The fourth paragraph of Sec. 11, Ch. 64, SLA

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1959, as amended by Sec. 4, Ch. 79, SLA 1960 is amended to read:

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There is hereby created within the Department of Edu-

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cation a Board of Education consisting of six members,

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appointed for overlapping three-year terms. The principal

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executive officer shall not be a member of the Board but

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shall be ex officio secretary and have the right to cast tie-

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breaking votes only; provided, however, when the Board of

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Education sits as the Board of Vocational Rehabilitation,

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the Director of the Office of Vocational Rehabilitation shall

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be ex officio Secretary of the Board and shall have no vote

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except the right to cast tie-breaking votes only. The Board

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members shall be appointed by the Governor without regard to

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political affiliation, subject to confirmation by a majority

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of the members of the Legislature in joint session. The

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appointments shall be made from a list of qualified persons

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submitted to the Governor from the State School Board Asso-

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ciation and the Superintendents' Advisory Commission jointly.

1 [IN THE APPOINTMENT OF BOARD MEMBERS, THE GOVERNOR SHALL
2 GIVE CONSIDERATION TO RECOMMENDATIONS MADE BY RECOGNIZED
3 EDUCATIONAL ASSOCIATIONS IN THE STATE.]

4 Sec. 2. The fifth and sixth paragraphs of Sec. 11, Ch. 64,
5 SLA 1959 are amended to read:

6 The Board of Education shall appoint the Commissioner
7 of Education. The Commissioner shall serve at the pleasure
8 of the Board. [THE GOVERNOR SHALL APPOINT THE COMMISSIONER
9 OF EDUCATION FROM A LIST OF QUALIFIED PERSONS NOMINATED BY
10 THE BOARD OF EDUCATION, SUBJECT TO THE RIGHT OF THE GOVERNOR
11 TO REQUEST ADDITIONAL NOMINATIONS.] The appointment shall be
12 subject to confirmation by a majority of the members of the
13 Legislature in joint session. [THE COMMISSIONER OF EDUCATION
14 SHALL SERVE FOR A TERM OF 5 YEARS.] In the event of a
15 vacancy in the office of Commissioner of Education a successor
16 shall be appointed, in the manner provided for the regular
17 appointment, to fill the unexpired term.

18 [THE BOARD MAY SUBMIT A RESOLUTION TO THE GOVERNOR
19 REQUESTING THE REMOVAL OF THE COMMISSIONER. THE RESOLUTION
20 SHALL SET FORTH THE GROUNDS FOR THE REQUEST AND THE GOVERNOR
21 SHALL AFFORD THE COMMISSIONER AND THE BOARD AN OPPORTUNITY
22 TO BE HEARD.]

23 Sec. 3. The seventh paragraph of Sec. 11, Ch. 64, SLA 1959
24 is amended to read:

25 The Board of Education must confirm programming actions
26 of the Commissioner of Education, except as hereinafter
27 provided, but shall not have administrative [, BUDGETING] or
28 fiscal powers; and such administrative or [, BUDGETING AND]
29 fiscal power shall reside in the Commissioner of Education.

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The Commissioner shall initially prepare the budget and present it to the Board. The Board, after consultation with the Commissioner, shall prepare the final budget to be presented to the Legislature.

Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.