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IN THE HOUSE BY MESSRS. BAGGEN AND PARSONS  
HOUSE BILL NO. 109  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SECOND LEGISLATURE - FIRST SESSION

A BILL

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

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

Section 1. The fourth paragraph of Sec. 11, Ch. 64, SLA 1959 as amended by Sec. 4, Ch. 79, SLA 1960 is amended to read:

There is hereby created within the Department of Education a Board of Education consisting of six members, appointed for overlapping ~~two~~ <sup>three</sup> [THREE] -year terms. The principal executive officer shall not be a member of the Board but shall be ex officio secretary and have the right to cast tie-breaking votes only; provided, however, when the Board of Education sits as the Board of Vocational Rehabilitation, the Director of the Office of Vocational Rehabilitation shall be ex officio Secretary of the Board and shall have no vote except the right to cast tie-breaking votes only. The Board members shall be appointed by the Governor without regard to political affiliation, subject to confirmation by a majority of the members of the Legislature in joint session. <sup>The</sup> ~~appointments shall be made from a list of qualified persons submitted to the Governor from the State School Board Association and the Superintendents' Advisory Commission jointly.~~ <sup>appointments shall be made by the Governor, giving consideration to area-wide representation.</sup>

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of Delete

*Restored*

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 the approval of the Governor *and red* [CONFIRMATION BY A  
13 MAJORITY OF THE MEMBERS OF THE LEGISLATURE IN JOINT SESSION].  
14 The Commissioner of Education shall serve for a term of 5  
15 years. In the event of a vacancy in the office of Com-  
16 missioner of Education a successor shall be appointed, in  
17 the manner provided for the regular appointment, to fill the  
18 unexpired term.

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

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

26 The Board of Education must confirm programming actions  
27 of the Commissioner of Education, except as hereinafter  
28 provided, and [BUT] shall [NOT] have administrative, budgeting,  
29 and [OR] fiscal powers; and such administrative, budgeting,

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and fiscal power <sup>may</sup> ~~shall~~ be delegated to [RESIDE IN] the  
Commissioner of Education. 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.

✓ the department budget to be  
presented to the governor <sup>for Review</sup>  
~~integrated with the budget~~ ~~presentation~~ ~~of the budget~~  
and ~~integrated with~~