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Referred: State Affairs
and Finance

BY STRANDBERG, BOARDMAN
AND HAUGEN

1 IN THE HOUSE

2 HOUSE BILL NO. 295

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating a Highways Advisory Board; and
7 providing for an effective date."

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

9 * Section 1. AS 19 is amended by adding a new chapter to read:

10 CHAPTER 7. HIGHWAYS ADVISORY BOARD.

11 Sec. 19.07.010. CREATION. There is created in the Department
12 of Highways the Highways Advisory Board.

13 Sec. 19.07.020. COMPOSITION AND TERM OF OFFICE. The board
14 consists of seven persons who are each appointed for a six-year term.
15 One member shall be appointed from the state at large, one from the
16 first judicial district, one from the second judicial district, and two
17 each from the third and fourth judicial districts. The members
18 appointed from the third and fourth judicial districts shall be
19 appointed from different areas within those districts. No more than
20 four of the members may be registered members of the same political
21 party.

22 Sec. 19.07.030. APPOINTMENT. Members of the board are appointed
23 by the governor and confirmed by a majority of the members of the
24 legislature in joint session. Members serve at the pleasure of the
25 governor. A member may act and receive compensation from his appoint-
26 ment until his confirmation or rejection by the legislature. A member
27 appointed to fill a vacancy serves for the unexpired term of the member
28 he succeeds.

29 Sec. 19.07.040. COMPENSATION AND EXPENSES. Members of the board

1 receive no salary, but are entitled to per diem and travel expenses
2 authorized by law for other boards and commissions.

3 Sec. 19.07.050. OFFICERS. At the first meeting of each year,
4 the board shall elect a chairman from among its members.

5 Sec. 19.07.060. MEETINGS AND QUORUM. (a) The commission shall
6 meet at least quarterly. Meetings shall be held at the call of the
7 chairman or upon petition of four members.

8 (b) Four members constitute a quorum.

9 Sec. 19.07.070. APPOINTMENT OF COMMISSIONER. (a) The governor
10 shall appoint the commissioner of highways from a list of qualified
11 persons nominated by the board, subject to the right of the governor
12 to request additional nominations. The appointment shall be subject
13 to confirmation by a majority of the members of the legislature in
14 joint session. The commissioner shall serve for a term of five years.
15 If a vacancy occurs in the office of commissioner, a successor shall
16 be appointed in the manner provided for the regular appointment to
17 fill the unexpired term.

18 (b) The board may submit a resolution to the governor requesting
19 the removal of the commissioner. The resolution shall state the grounds
20 for the request and the governor shall afford the commissioner and the
21 board an opportunity to be heard.

22 Sec. 19.07.080. BOARD TO CONFIRM COMMISSIONER'S PROGRAMS. The
23 board shall confirm programming actions of the commissioner of highways.
24 However, the board shall not have administrative, budgeting, or fiscal
25 powers and the commissioner shall have these powers.

26 Sec. 19.07.090. REGULATIONS. Regulations shall originate with
27 the commissioner but shall not become effective until approved by a
28 majority of the board. If the board fails to approve the regulations,
29 public hearings shall be held concerning the issues in question. If,

1 subsequent to public hearings the board and the commissioner continue
2 to disagree, the issue shall be certified in writing by the board and
3 the commissioner to the governor who shall make a final decision.

4 Sec. 19.07.100. DEPARTMENT TO ASSIST BOARD. The department shall
5 furnish the clerical and technical assistance and personnel which the
6 board may require.

7 Sec. 19.07.110. REPORT TO LEGISLATURE. The board shall submit
8 a written report to the legislature on February 1 of each year.

9 * Sec. 2. Upon initial appointment of the board members, three members
10 serve for six years, two members serve for four years and two members serve
11 for two years. The governor shall appoint the members of the board and call
12 a meeting within 30 days after the effective date of this Act.

13 * Sec. 3. This Act takes effect on July 1, 1967.
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