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Referred: Health, Education and
Social Services and Judiciary

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1 IN THE HOUSE

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2 HOUSE BILL NO. 194

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the election of the Board of
7 Directors for State-Operated Schools; and providing
8 for an effective date."

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

10 * Section 1. AS 14.08.030 is repealed and re-enacted to read:

11 Sec. 14.08.030. ELECTION OF THE BOARD. (a) There is created the
12 Board of Directors for State-Operated Schools consisting of nine members,
13 one to be elected by each of nine administrative regions encompassing
14 the area served by the state-operated schools.

15 (b) The commissioner of education shall recast the boundaries of
16 the administrative regions immediately following the reporting of each
17 decennial federal census but in any event not later than July 1 of the
18 year following that in which the census is taken. Administrative
19 regions shall consist of compact, contiguous territory and, insofar as
20 practicable, each region shall contain a relatively integrated socio-
21 economic and culturally homogeneous area. In the formation of the
22 administrative regions, consideration shall be given to the transporta-
23 tion and communication network to facilitate the administration of
24 education in each region. Whenever possible, drainage basins and other
25 identifiable geographic features shall be used in describing the
26 boundaries of the administrative regions.

27 * Sec. 2. AS 14.08 is amended by adding new sections to read:

28 Sec. 14.08.032. QUALIFICATIONS. A resident of the state is
29 eligible to be a member of the board of directors if he is a qualified

1 voter in the administrative region in which he is seeking election.
2 A member of the board who ceases to be a resident of the administrative
3 region he represents forfeits his office.

4 Sec. 14.08.034. ELECTION PROCEDURE; COSTS. (a) The date of
5 election for the board of directors is the first Tuesday in October
6 annually.

7 (b) Within 60 days of the effective date of this Act the lieuten-
8 ant governor shall promulgate regulations for the conduct of the
9 election of the board of directors comparable, insofar as practicable,
10 to those prescribed for election of school board members under ch. 12
11 of this title and AS 29.28. Elections shall be supervised by the
12 director of elections in the office of the lieutenant governor, but
13 shall be administered within second class cities as part of the regular
14 municipal election.

15 (c) If in an election for board of directors no candidate in a
16 region receives in excess of 40 per cent of the votes cast for his
17 respective office, the lieutenant governor shall hold a runoff election
18 within two weeks from the date of certification of the election between
19 the two candidates receiving the greatest number of votes for the
20 office. Notice of a runoff election shall be published at least five
21 days before the election. However, in any year in which there is a
22 general election, a runoff that may be required by this subsection shall
23 be held in conjunction with the general election.

24 (d) The cost of each board of directors election, or recall
25 election under sec. 36 of this chapter, shall be borne by the state.

26 Sec. 14.08.036. RECALL. The members of the board of directors
27 are subject to recall in accordance with AS 29.28.130 - 29.28.250,
28 except that the chief school administrator for the state-operated schools
29 shall perform the functions of a municipal clerk, and the Board of

1 Directors for State-Operated Schools shall perform the functions of
2 the assembly or council under those sections.

3 * Sec. 3. AS 14.08.040 is amended to read:

4 Sec. 14.08.040. TERM OF OFFICE; VACANCIES. (a) The term of
5 office of a member of the board of directors [BOARD MEMBERS] is three
6 years. However, for the first board elected, the term of office assigned
7 to each member shall be determined by lot. The first elected board
8 members shall hold office for terms as follows: three for a one-year
9 term, three for a two-year term, and three for a three-year term.

10 (b) A vacancy on the board of directors shall be filled in accor-
11 dance with AS 14.12.070.

12 * Sec. 4. The commissioner of education shall make the initial deter-
13 mination of the administrative region boundaries within 30 days from the
14 effective date of this Act. To assist in the transition from an appointed
15 to an elected Board of Directors for State-Operated Schools, insofar as
16 practicable, the boundaries of the administrative regions shall be coterminous
17 with the boundaries of those regions as they exist on the effective date of
18 this Act.

19 * Sec. 5. The term of office of an appointed member of the Board of
20 Directors for State-Operated Schools expires on the date the elected member
21 of the board qualifies by subscribing to the oath of office and taking his
22 seat. However, nothing in this Act prevents an incumbent, appointed member
23 of the board from becoming a candidate for election to the board if he other-
24 wise qualifies under AS 14.08.032.

25 * Sec. 6. This Act takes effect July 1, 1975.

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