

H B

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COMMITTEE REPORT

HOUSE

4/4

Reels

(7)

FURTHER:

2/15/85

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 152

"An Act relating to the status of board members whose term of office has expired; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Handwritten signatures]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten signature]

CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 152
 Title: Status of Board Members Whose Term of Office has Expired
 Sponsor: Rules/Governor
 Requestor: Governor
 Date of Request: 1/21/85

FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Executive Operations
 BRU, Program or Subprogram(s) Affected: Executive Office

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-				

CAPITAL		-0-				
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REVENUE		-0-				
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-				

POSITIONS:

FULL-TIME		-0-				
PART-TIME		-0-				
TEMPORARY		-0-				

ANALYSIS: Attach a separate page if necessary

Prepared By: Michael A. Nizich, Director *M. Nizich* Phone: 465-3616
 Division: Administrative Services Date: Jan. 23, 1985
 Approved by Commissioner: Laura J. Herman *Laura J. Herman* Date: Jan. 23, 1985
 Agency: Office of the Governor

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 30, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would permit appointees to certain boards and commissions to hold office beyond the expiration of their term until a successor is appointed. It also makes some incidental style changes in the statute's wording.

Because of the proliferation of boards and commissions since statehood, the task of appointing enough qualified persons to keep all boards up to full strength is an impossible one. There are approximately 1,000 appointments to State boards and commissions. Approximately 75 percent of all appointments to be made are highly restricted by law as to the backgrounds, location, and professional expertise of the individuals that can be considered. As a result, the recruitment and review process that must be accomplished prior to appointment has become more time consuming than in the past years.

As a result, I am proposing the expedient of permitting incumbent board members to hold over until a successor is appointed by the Governor. There is a certain amount of precedence for recommending this. Several statutes specific to certain boards have allowed for continued service in the event an appointment cannot be made in time to coincide with an expiration date. In cases where the statute specifically allows this practice, it has proven very helpful to the operations of the boards and commissions in reducing problems with quorum and the legality of votes taken on official matters. This holdover rule does not apply to a board or commission that serves as the head of a principal department.

It is extremely difficult to find qualified Alaskans who are willing to serve on the many boards and commissions established by law. Any delay could materially affect the ability of many boards to constitute a quorum for doing business. I believe that this bill offers a simple method for solving that problem.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield". The signature is written in dark ink and is positioned above the typed name.

Bill Sheffield
Governor



Official Business

Alaska State Legislature

House of Representatives

Committee on State Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

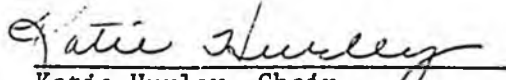
(907) 465-4883

HOUSE STATE AFFAIRS COMMITTEE
LETTER OF INTENT
FOR
HB 152

It is the intent of the House State Affairs Committee that in passing HB 152 that the mechanism for replacing board members established in this legislation be used to retain a functioning board until a suitable replacement is found for a member whose term has expired.

The committee remains concerned, however, that the discretion allowed the Governor through HB 152 in making appointments, could be abused and that there may be substantial constitutional questions in allowing a board member to retain a seat beyond their term of appointment.

It is the wish of the committee, therefore, that the House Judiciary committee, in reviewing HB 152, address these concerns and make any amendments appropriate in addressing these problems.


Katie Hurley, Chair
House State Affairs Committee

NUMBER
OF
BOARDS
AND
COMMISSIONS

100000

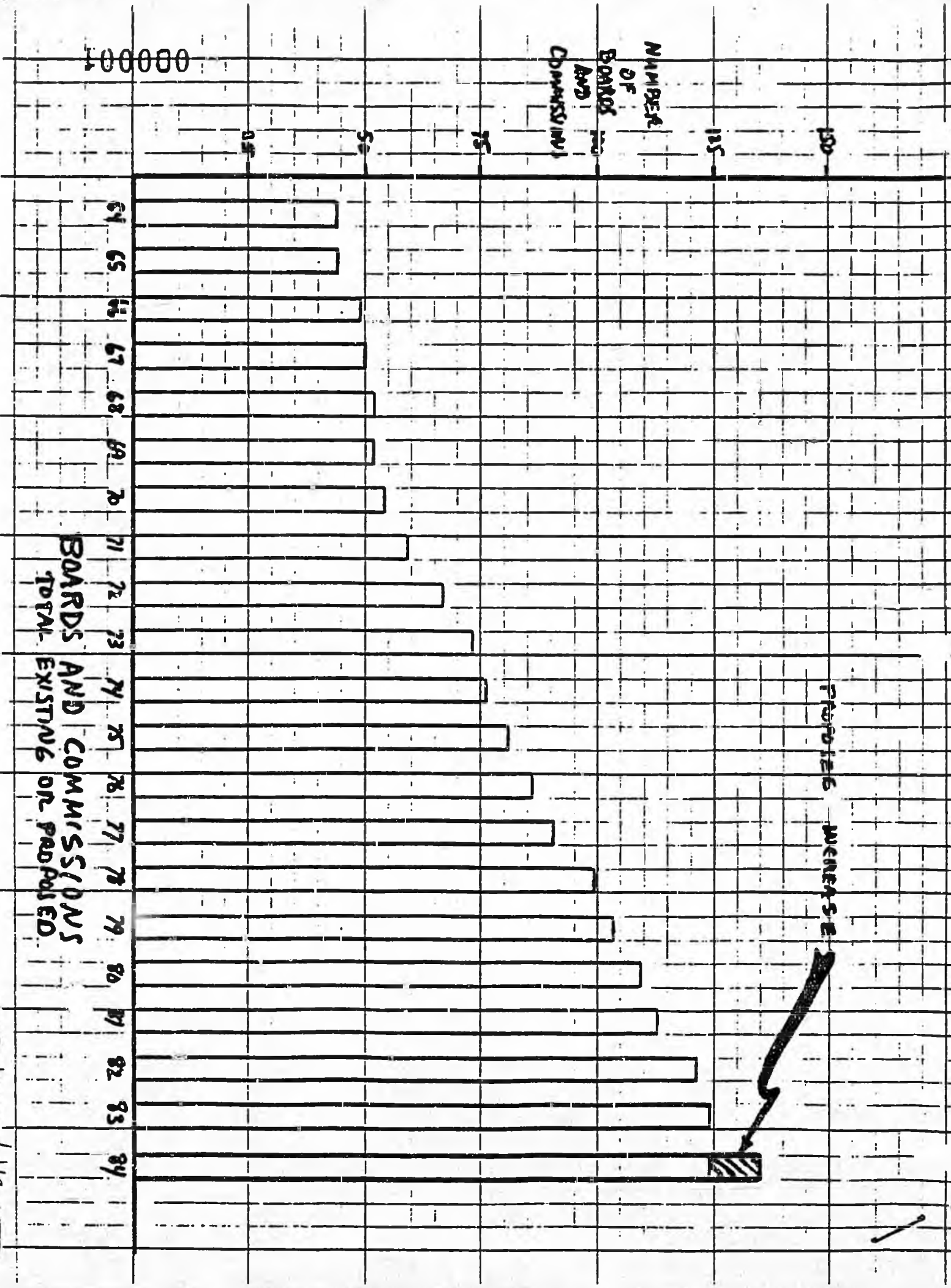
100
105

PROBES WCREASE

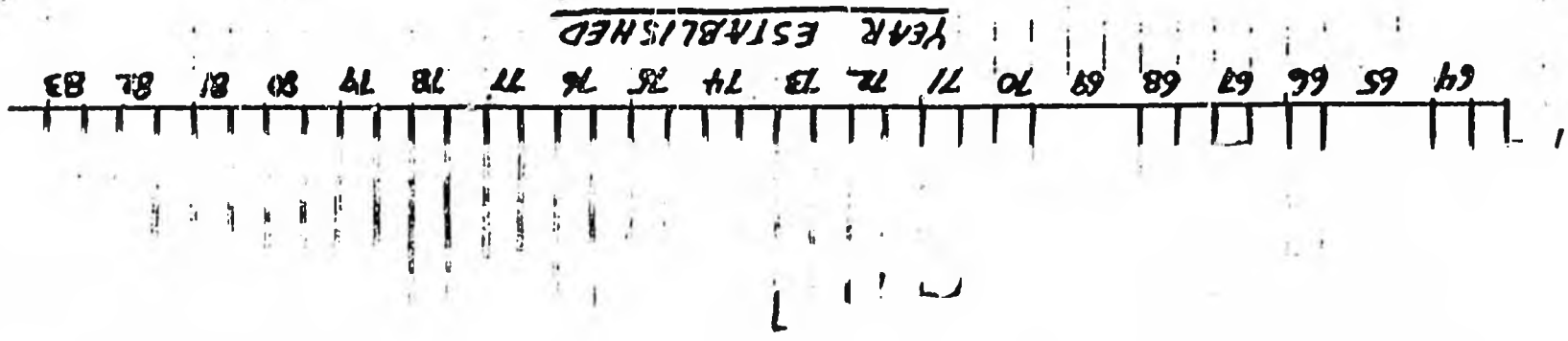
BOARDS
AND COMMISSIONS
TOTAL
EXISTING OR PROPOSED

64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84

WORKERS / WBS 152



NOTE: THE LIST OF 124 BOARDS/COMMISSIONS FROM WHICH THIS INFORMATION IS GENERATED CONTAINS 31 BOARDS/COMMISSIONS ESTABLISHED PRIOR TO 1964.



NEW BOARDS AND COMMISSIONS ESTABLISHED BETWEEN 1964 AND 1983

BOARDS + COMMISSIONS
15
14
13
12
11

COMMITTEE REPORT
HOUSE

2/15

(7)

FURTHER: JUDICIARY

1/30/85

Date: 2-14-85

The Committee on STATE AFFAIRS has had HB 152

"An Act relating to the status of board members whose term of office has expired; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
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 new title

and recommends _____

- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee APPROVES PREVIOUS

MEMBERS SIGNING
DO-PASS

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

No Rec. Katie Anderson

No Rec. [Signature]

No Rec. [Signature]

No Rec. [Signature]

[Signature]
CHAIRMAN



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

MEMORANDUM

TO: House Judiciary Committee

FROM: Carol A. Derfner *C. Derfner*
Special Staff Assistant
Boards and Commissions

DATE: April 2, 1985

RE: House Bill No. 152 - Status of board members
whose terms expire

In recent research undertaken by my office, we discovered that of 110 active boards and commissions currently on the books, 27 of the boards have statutory language providing for an automatic extension of terms for the members. This language is contained in the individual creating authorities for the 27 boards and reads one of three ways:

1. "...shall hold office UNTIL (emphasis added) his successor shall be appointed and qualified."
2. "...shall serve for the duration of his term AND UNTIL (emphasis added) his successor is appointed and qualified."
3. "...shall serve for the duration of his term OR UNTIL (emphasis added) his successor is appointed and qualified."

A list of the 27 boards containing this provision is attached for your information.

Attachment

25. Alaska Public Utilities Commission
26. Board of Veterinary Examiners
27. Western Interstate Commission for Higher Education

DEPT	BOARD
DCED	Accountancy, Alaska State Board of Public
DNR	Agricultural Revolving Loan Fund Board
DOR	Alcoholic Beverage Control Board
DHSS	Alcoholism, Review Board on
DCED	Architects, Engineers, and Land Surveyors, State Board of Registration for
DOE	Arts, Alaska State Council on the
DOR	Assessment Review Board, State
DCED	Athletic Commission
DNR	Bald Eagle Preserve Advisory Council, Alaska Chilkat
GOV	Bar, Board of Governors of the Alaska
DCED	Barbers and Hairdressers, Board of
DOE	Block Grants Advisory Committee, Education and Consolidation and Improvement Act
DOA	Broadcasting Commission, Alaska Public
DHSS	Catastrophic Illness Committee
DOR	Child Support Enforcement Commission
DCED	Chiropractic Examiners, Board of
GOV	Coastal Policy Council, Alaska
LEG	Code Revision Commission, Alaska
DFG	Commercial Fisheries Entry Commission, Alaska
NONE	Commercial Fishing and Agriculture Bank, Board of Directors
LAW	Controlled Substances Advisory Committee
DOC	Correctional Industries Commission
DCED	Dental Examiners, Board of
DOA	Disability Review Board, Public Employees' and Teachers'
DCED	Dispensing Opticians, Board of
DPS	Domestic Violence and Sexual Assault, Council on
DHSS	Drug Abuse, Advisory Board on
DOE	Education, Board of
DOE	Education Commission on the States
DCED	Electrical Examiners, Board of
DHSS	Emergency Medical Services, Advisory Council on
DGE	Employment of Handicapped, Governor's Committee on
DOL	Employment Security Advisory Council
DNR	Federal Areas in Alaska, Citizens' Advisory Commission on
DFG	Fisheries, Board of
DOL	Fishermen's Fund Advisory and Appeals Council
DNR	Forestry, Board of
DFG	Game, Board of

<u>DEPT</u>	<u>BOARD</u>
DCRA	Geographic Board, State
DCED	Guide Licensing and Control Board
DHSS	Handicapped and Gifted, Governor's Council for the
DNR	Historic Sites Advisory Committee
DOE	Historical Commission, Alaska
NONE	Historical Records Advisory Board, State
DCED	Housing Authority, Alaska State
DOR	Housing Finance Corporation, Alaska
GOV	Human Rights, State Commission for
NONE	Humanities Forum, Alaska
DOR	Industrial Development Authority, Alaska
DCRA	Job Training Coordinating Council, State
CRT	Judicial Conduct, Commission on
CRT	Judicial Council
DHSS	Juvenile Justice and Family Services Advisory Committee
DOA	Labor Relations Agency
GOV	Land Use Council Advisory Committee, Alaska
DOE	Libraries, Advisory Council on
DEC	Litter Control Advisory Council
DCRA	Local Boundary Commission
DCED	Marine Pilots, Board of
DHSS	Medicaid Rate Commission
DCED	Medical Board, State
DOR	Medical Facility Authority, Alaska
DCED	Medical Indemnity Corporation of Alaska
DHSS	Mental Health Advisory Council
DNR	Mining Water Use Review Committee
DOR	Municipal Bond Bank Authority, Alaska
DCED	Nursing Home Administrators, Board of
DCED	Nursing, Board of
DOL	Occupational Safety and Health Review Board
DCED	Oil and Gas Conservation Commission, Alaska
DOA	Older Alaskans Commission
DCED	Optometry, Board of Examiners in
DFG	Pacific Marine Fisheries Commission
DFG	Park and Park Monument Subsistence Resource Commissions, Alaska
DOC	Parole, State Board of

DEPT	BOARD
DOR	Permanent Fund Corporation Board of Trustees, Alaska
DOA	Personnel Board
DCED	Pharmacy, Board of
DCED	Physical Therapy Board, State
DOA	Pioneers' Homes Advisory Board, Alaska
DPS	Police Standards Council, Alaska
DOE	Postsecondary Education, Alaska Commission on
DCED	Power Authority, Alaska
DCRA	Private Industry Council, Alaska
DOE	Professional Teaching Practices Commission
DCED	Psychologist and Psychological Associate Examiners, Board of
DOA	Public Employees Retirement Board
DOA	Public Offices Commission, Alaska
DTPF	Railroad Corporation, Board of Directors for the Alaska
DOA	Railroad Labor Relations Agency
DCED	Real Estate Commission
GOV	Reapportionment Board
NONE	Regents, University of Alaska Board of
DCED	Royalty Oil and Gas Development Advisory Board, Alaska
DOA	Rural Alaska Television Users Network
DOL	Safety Advisory Council, Alaska
DCED	Seafood Marketing Institute, Alaska
DNR	Soil and Water Conservation Board, Alaska
DHSS	Statewide Health Coordinating Council
DOA	Teachers' Retirement Board, Alaska
DCED	Transportation Commission, Alaska
DCED	Utilities Commission, Alaska Public
DCED	Veterinary Examiners, Board of
DPS	Violent Crimes Compensation Board
NONE	Vocational and Career Education, Alaska State Advisory Council on
DEC	Water and Wastewater Works Advisory Board
DNR	Water Resources Board
NONE	Western Interstate Commission for Higher Education
GOV	Women's Commission, Alaska
DNR	Wood-Tikchik State Park Management Council
DOL	Worker's Compensation Board, Alaska