

CONFIRMATION

HEARING

1987-

DEPT. OF

MILITARY AND VET.

AFFAIRS

Alaska State Legislature

INTERIM OFFICE
1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-2843

IN SESSION
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4714



Senator Mitch Abood
CHAIRMAN

Senate Committee on State Affairs

DATE: 08 MAY 1987

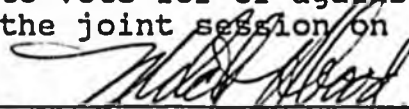
TO: SENATOR JAN FAIKS
PRESIDENT OF THE SENATE

FROM: SENATOR MITCH ABOOD, CHAIRMAN
SENATE STATE AFFAIRS COMMITTEE

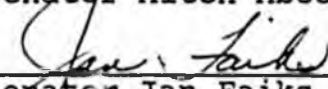
SUBJECT: GOVERNOR'S APPOINTMENT

Pursuant to your instructions, and in accordance with AS 39.05.080, the Senate Committee on State Affairs has had under consideration the Governor's appointment of Major General John W. Schaeffer, Adjutant General as Commissioner of the Department of Military and Veterans Affairs.

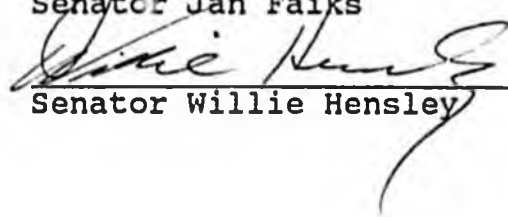
There were no stated objections to confirmation of Major General John W. Schaeffer, Adjutant General by committee members. This does not necessarily indicate an intention to vote for or against the individuals named at the time of the joint session on confirmation.



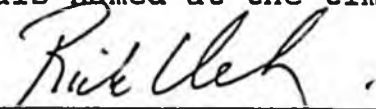
Senator Mitch Abood, Chairman



Senator Jan Faiks



Senator Willie Hensley



Senator Rick Uehling



Senator Joe Josephson

BRIGADIER GENERAL-SELECTEE JOHN W. SCHAEFFER**Adjutant General**

Brigadier General-Selectee John W. Schaeffer is the Adjutant General for the Alaska National Guard and Commissioner of the Department of Military and Veterans Affairs.

General Schaeffer was born March 30, 1939 in Kotzebue, Alaska. After attending Mt. Edgecumbe High School in Sitka, he began his military career as a private with the 1st Scout Battalion, Alaska Army National Guard. Upon graduation from the Infantry Officers Candidate School at Fort Benning, Georgia, he was commissioned as a Second Lieutenant on October 2, 1958. He is Airborne and Special Forces qualified. The General is a graduate of the Army's Command and General Staff College.

Prior to his selection as Adjutant General, General Schaeffer served as Assistant Adjutant General (Army). Previous assignments since his enlistment, in 1957, included Chief of Staff for the Alaska Army National Guard's State Area Command, Commander of the Guard's 1st Scout Battalion, Nome, and 3rd Scout Battalion, Kotzebue, plus several key staff positions at the Department of Military and Veterans Affairs headquarters in Anchorage.

In his civilian career, General Schaeffer was recently elected as Mayor of the the newly established Northwest Arctic Borough. He previously served as President of the NANA Regional Corporation for the past fourteen years. Prior to that assignment he served as a technician with the Alaska Army National Guard. As a distinguished civic leader he has had such varied assignments as a University of Alaska regent and has held membership on the Federal-State Land Use Planning Commission. He has also served on numerous other national and state advisory boards.

His awards and decorations include the Meritorious Service Medal, Army Commendation Medal, Armed Forces Reserve Medal, BG Noyes Award, Alaska Distinguished Service Medal, Alaska Commendation Medal, Alaska Disaster Award, and the Alaska National Guard Longevity Medal.

He was promoted and federally recognized as a Colonel on March 22, 1985 and received a state promotion to Brigadier General on October 17, 1986. He will reach the minimum time in grade threshold for federal recognition on March 23, 1987.

General Schaeffer is married to the former Mary Howarth. They have nine children and nine grandchildren.



Alaska State Legislature

Senate

Office of the Secretary

OFFICIAL BUSINESS

PO. BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

February 11, 1987

MEMORANDUM

TO: Senator Abood, Chairman
State Affairs Committee

FROM: Peggy Mulligan *PM*
Secretary of the Senate

RE: Confirmation of Governor's Appointees

Pursuant to AS 39.05.080 (statute attached), President Faiks has referred the positions noted to your committee for a hearing, recommendation and report:

Department of Administration
Commissioner Garrey M Peska

Department of Military and Veterans Affairs
Major General John W. Schaeffer, Adjutant General

Resumes are attached.

Enclosure

in joint session, these orders become effective at a date thereafter to be designated by the governor.

Supervision

SECTION 24. Each principal department shall be under the supervision of the governor.

Department
Heads

SECTION 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the lieutenant governor. The heads of all principal departments shall be citizens of the United States.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Boards and
Commissions

SECTION 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law. They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

Recess
Appointments

SECTION 27. The governor may make appointments to fill vacancies occurring during a recess of the legislature, in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.

ARTICLE IV

THE JUDICIARY

Judicial
Power and
Jurisdiction

SECTION 1. The judicial power of the State is vested in a supreme court, a superior court and the courts established by the legislature. The jurisdic-

tion of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

Supreme
Court

SECTION 2. (a) The supreme court shall be the highest court of the State, with final appellate jurisdiction. It shall consist of three justices, one of whom is chief justice. The number of justices may be increased by law upon the request of the supreme court.

(b) The chief justice shall be selected from among the justices of the supreme court by a majority vote of the justices. His term of office as chief justice is three years. A justice may serve more than one term as chief justice but he may not serve consecutive terms in that office.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. Subsection (b) was added.)

Superior
Court

SECTION 3. The superior court shall be the trial court of general jurisdiction and shall consist of five judges. The number of judges may be changed by law.

Qualifications
of Justices
and Judges

SECTION 4. Supreme court justices and superior court judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law. Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

Nomination
and
Appointment

SECTION 5. The governor shall fill any vacancy in an office of supreme court justice or superior court judge by appointing one of two or more persons nominated by the judicial council.

Approval or
Rejection

SECTION 6. Each supreme court justice and superior court judge shall, in the manner provided by law, be subject to approval or rejection on a nonpartisan ballot at the first general election held

ADINGS TITLE 39.
Public Officers and Employees.
CHAPTER 05.
Qualifications, Appointment, and Tenure.
ARTICLE 2.
Nomination and Confirmation of Appointive Officers.
TATION Sec. 39.05.080.
TCH LINE

PROCEDURE FOR ALL APPOINTMENTS.

XT Appointments shall be made in the following manner:

(1) The appointing authority shall, within 30 days of the convening of the legislature in regular session, present to the legislature for confirmation the names of the following persons: (A) persons appointed to a position or membership who have not previously been confirmed by the legislature or either house of it; (B) persons appointed by him subject to confirmation to fill an existing position or membership vacancy; (C) persons to be appointed subject to confirmation to fill a position or membership the term of which shall expire before July 2, following the session of the legislature. If an appointment is made after the deadline but while the legislature is in session, the appointing authority shall, within five calendar days after the appointment is made, present to the legislature for confirmation the name of the person appointed. The deadline may be extended by the legislature by the approval of a concurrent resolution.

(2) When appointments are presented to the legislature for confirmation,

(A) the presiding officer of each house shall assign the name of each appointee to a ~~standing committee of that house for a hearing, report and recommendation; standing committees of the two houses assigned the same person's name for consideration may meet jointly to consider the qualifications of the person appointed and may issue either a separate or a joint report and recommendation concerning that person; then~~

(B) the legislature shall, before the end of the session in which the appointments are presented, in joint session assembled, act on the appointments by confirming or declining to confirm by a majority vote of all of the members the appointments presented.

(3) When the legislature declines to confirm an appointment, the legislature shall notify the appointing authority of its action and a vacancy in the position or membership exists which the appointing authority shall fill by making a new appointment. The new appointment shall be presented for confirmation to the legislature within 20 calendar days following receipt by the appointing authority of the legislature's notification of its refusal to confirm the prior appointment. If the name of a person is submitted and is not confirmed, the appointing authority may not, upon resubmission of appointments, submit again the name of the person whose confirmation was refused for the same position or membership during the session of the legislature at which confirmation was refused. The person whose name is refused for appointment by the legislature may not thereafter be appointed to the position or membership during the interim between legislative sessions. Failure of the legislature to act to confirm or decline to confirm an appointment during the session in which the appointment was presented is tantamount to a declination of confirmation on the day the session adjourns.

(4) Pending confirmation or rejection of appointment by the legislature, persons appointed shall exercise the functions, and have the powers and be charged with the duties prescribed by law for the appointive positions or membership.

STORY (Sec. 4 ch 64 SLA 1955; am secs. 1 - 3 ch 1 SLA 1964; am sec. 1 ch 2 SLA 1967; am sec. 1 ch 65 SLA 1974; am sec. 2 ch 82 SLA 1975)