

**HB**

**179**

# FISCAL NOTE

No. 1  
 Bill Version: CSHB 179(FSH)  
 (H) Publish Date: 2/15/96

STATE OF ALASKA  
 996 LEGISLATIVE SESSION

Dept. Affected ALL  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_  
 Serial # \_\_\_\_\_

Title: relating to the commissioner of education  
and the commissioner of fish and game; and  
 Sponsor: providing for an effective date  
 Requestor: House Special Committee on Fisheries

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

**FUNDING: (THOUSANDS OF DOLLARS)**

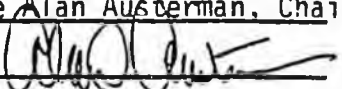
General Fund						
Federal Fund						
Other						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

see attached analysis

Prepared by: House Special Committee on Fisheries  
Representative Alan Austerman, Chair  


Date: 2/14/96  
 Phone: 465-2487  
 Phone: \_\_\_\_\_

(7)

# HOUSE COMMITTEE REPORT

Date Referred to Committee: February 15, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/27/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 179

HOUSE BILL NO. 179

LIMIT TERM OF COMMRS OF EDUC. & FISH/GAME

"An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 179 (FSH)  the same title  a new title

additional referral to \_\_\_\_\_ Committee

attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) DOE

zero fiscal note(s) Hs. Spec Comm on Fish

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE

*[Signature]*

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSHB179(FSH)

Revision Date: 02/26/96

Department Affected: Education

Title: Limit Terms of Commissioners of Ed & Fish/Game

BRU: Executive Administration

Component: Commissioner's Office

Sponsor: Representative Therriault

Requester: House HESS

COMPONENT SERIAL NO. 185

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES</b>						
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.) CSHB179 (FSH) establishes the length of time the Commissioner of Department of Education may serve. Passage of this legislation will have no fiscal impact on the Department of Education.

Prepared by: Kimberly Homme, Special Assistant

Phone: 465-2803

Division: Commissioner's office

Date: February 26, 1996

Approved by Commissioner: 

Richard S. Cross, Deputy Commissioner

Agency: Education

Date: February 26, 1996

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# Alaska State Legislature

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House District 33

## House Of Representatives

**CSHB 179(FSH)** "An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date."

**SPONSOR:** Representative Gene Therriault

### Sectional Analysis:

- Section 1:** Amends AS 14.07.145(c). The commissioner of education serves at the pleasure of the board and may not have a fixed term. It also eliminates the removal for cause reference.
- Section 2:** Amends AS 16.05.010. Removes the requirement that the commissioner of fish and game serves a five year term.
- Section 3:** Amends AS 44.39.030. Reaffirms the commissioner of fish and game serves at the pleasure of the governor and removes the five year term.
- Section 4:** Amends AS 44.39.050. Clarifies that the governor may remove the commissioner of fish and game without a request from the Board of Fisheries and the Board of Game.
- Section 5:** Repeals AS 14.07.145(f) which lists the causes by which a commissioner of education may be removed. (f) is not needed due to changes made in section 1.
- Section 6:** Changes apply to appointments made after the effective date.
- Section 7:** Provides an immediate effective date.

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## House Of Representatives

### SPONSOR STATEMENT

HB 179

HB 179 An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date.

SPONSOR: Representative Therriault

#### SPONSOR STATEMENT:

HB 179 is intended to change the term of office for the commissioners of Education and Fish and Game so their terms do not exceed the term of the governor who appointed them. HB 179 is needed to avoid a situation in which an outgoing commissioner's contract must be honored by an incoming administration.

The Alaska State Constitution provides the power for the governor to appoint each principal department head. The Department of Education and the Department of Fish and Game are unique due to the involvement of their respective boards.

The principal head of the Department of Education is the Board of Education. The Board of Education appoints its principal executive officer. The board has the right to dismiss the commissioner, if a dismissal is deemed necessary. HB 179 would eliminate the present 5 year term as specified in current statute.

The Commissioner of Fish and Game is appointed by the governor from a list compiled by the Board of Fisheries and the Board of Game. HB 179 clarifies that the commissioner does serve at the pleasure of the governor and eliminates the reference to the commissioner of Fish and Game being approved to a 5 year term.

The Alaska State Constitution grants the governor the power to appoint department heads. HB 179 reaffirms this constitutional right.

HB 179 "An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date."

SPONSOR: Rep. Gene Therriault

**Sectional Analysis:**

Section 1: Amends AS 14.07.145(c) limiting a commissioner to a term which may not have an expiration date that is later than the expiration date of the current term of office of the person who is governor at the time of the appointment.

Section 2: Amends AS 44.39.030. limiting the commissioner of fish and game to a term which may not have an expiration date that is later than the expiration date of the current term of office of the person who is governor at the time the appointment is made.

Section 3: Applies this Act to appointments made by the Board of Education and the governor, as applicable, on or after the effective date of this Act.

Section 4: Places this Act under AS 01.10.070(c), effective immediately.

TONY KNOWLES, GOVERNOR

PLEASE REPLY TO:

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DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

February 8, 1996

Honorable Gene Therriault  
Alaska State Legislature  
State Capitol-Room 421  
Juneau, AK 99801-1182

Re: CSHB 179 -- An Act relating to  
the commissioner of education  
and the commissioner of fish  
and game; and providing for an  
effective date

Dear Representative Therriault:

At your request, we have reviewed the working draft  
given to us today. We believe the proposed language solves the  
problems you have identified in the present law. The changes are  
consistent with the discussion we had with your staff on Tuesday,  
February 6, and we support the bill.

Thank you for allowing us to assist you in this way.

Sincerely yours,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By: 

Thomas H. Dahl  
Assistant Attorney General

JAR:pao

cc: Pat Pourchot, Legislative Director  
Office of the Governor

Chrystal Smith, Legal Administrator  
Department of Law

Deborah Behr, Assistant Attorney General  
Department of Law

Steve White, Assistant Attorney General  
Department of Law