



LAWS OF ALASKA

2020

Source
SCS HB 309(RLS)

Chapter No.

AN ACT

Relating to the procedure for confirmation of the governor's appointments; relating to the board of the Mental Health Trust Authority; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the procedure for confirmation of the governor's appointments; relating to the
2 board of the Mental Health Trust Authority; and providing for an effective date.

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4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 TIME FOR CONFIRMING GOVERNOR APPOINTMENTS. (a) Notwithstanding
7 AS 39.05.080, for appointments presented by the governor during the Second Regular Session
8 of the Thirty-First Alaska State Legislature,

9 (1) the legislature shall, in joint session assembled, act on the appointments at
10 any time by confirming or declining to confirm the appointments by a majority vote of all of
11 the members on the appointments presented; and

12 (2) if the legislature does not act to confirm or decline to confirm an
13 appointment, the failure of the legislature to act to confirm or decline to confirm an

1 appointment presented is not tantamount to a declination of confirmation on the day the
2 Second Regular Session of the Thirty-First Alaska State Legislature adjourns.

3 (b) The failure of the legislature to act to confirm or decline to confirm an
4 appointment presented by the governor during the Second Regular Session of the Thirty-First
5 Alaska State Legislature will be tantamount to a declination of confirmation on the earlier of

6 (1) January 18, 2021; or

7 (2) 30 days after

8 (A) expiration of the declaration of a public health disaster emergency
9 issued by the governor on March 11, 2020; or

10 (B) issuance of a proclamation that the public health disaster
11 emergency identified in the declaration issued by the governor on March 11, 2020, no
12 longer exists.

13 (c) Notwithstanding AS 47.30.021(a), a member of the board of the Alaska Mental
14 Health Trust Authority whose term expires March 1, 2020, may not continue to serve until a
15 successor is confirmed. A person appointed to the board of the Alaska Mental Health Trust
16 Authority and presented to the legislature by the governor during the Second Regular Session
17 of the Thirty-First Alaska State Legislature shall serve as successor to a member whose
18 appointment expired on March 1, 2020, and exercise the functions, have the powers, and be
19 charged with the duties prescribed by law for the appointment pending confirmation or
20 declination under (a) or (b) of this section.

21 (d) If, after the Second Regular Session of the Thirty-First Alaska State Legislature
22 adjourns, a person whose appointment is still awaiting confirmation or declination of
23 confirmation resigns that person's appointment, or the position or membership of that person
24 becomes vacant for any reason other than the expiration of the person's term of office, the
25 governor may not appoint that person to the same position or membership until the First
26 Regular Session of the Thirty-Second Alaska State Legislature convenes.

27 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).