



RESOLUTION 2022-10

Requesting the Alaska Legislature create a formal Commissioner removal provision

WHEREAS, the Alaska State Commission for Human Rights (“ASCHR” or the “Commission”) recognizes the need for its work to be apolitical; and,

WHEREAS, the Alaska Legislature codified the Commission’s apolitical nature in AS 18.80.020 by requiring the Alaska Governor to appoint the Commissioners for staggered five-year terms, subject to confirmation by the Alaska Legislature; and,

WHEREAS, the Commissioners acknowledge the need for themselves and future Commissioners to be individually accountable to the public; and,

WHEREAS, there is no provision in state law to remove a Commissioner other than a term’s natural expiration; and,

WHEREAS, the Commission believes there should be legislation to codify when and how a Commissioner is removed.

NOW, THEREFORE, BE IT RESOLVED, that the Alaska State Commission for Human Rights calls on the Alaska Legislature to amend AS 18.80 to codify that the Governor may remove a Commissioner only for cause, including but not limited to incompetence, neglect of duty, or misconduct; and give a Commissioner for whom gubernatorial removal is sought notice and an opportunity to be heard.

BE IT FURTHER RESOLVED, that the Commission suggests the following language for legislative discussion in amending AS 18.80:

The governor may remove a commissioner from office for cause. Cause includes incompetence, neglect of duty, and misconduct in office. Cause also includes public statements, and public or private actions, that undermine the commission’s work or violate AS 18.80. A commissioner, to be removed for cause, shall be given a copy of the charges and afforded an opportunity to

be publicly heard in person or by counsel in the commissioner's own defense upon not less than 10 days' notice. If a commissioner is removed for cause, the governor shall file with the lieutenant governor a complete statement of all charges made against the commissioner and the governor's finding based on the charges, together with a complete record of the proceedings.

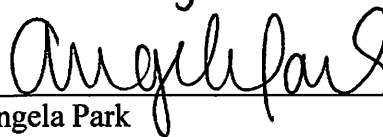
Copies of this resolution shall be forwarded to the Alaska Legislature and the Governor.

ADOPTED at Juneau, Alaska, this 22nd day of February, 2023



Zaakary Gottshall
Chairperson
Alaska State Commission for Human Rights

I hereby certify that the foregoing Resolution 2022-10 is a true and accurate copy of the language adopted by the Commission on February 22, 2023.



Angela Park
Secretary
Alaska State Commission for Human Rights