

**HOUSE BILL NO. 475**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE KOHRING**

**Introduced: 2/16/04**

**Referred: Labor and Commerce, State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act prohibiting the hiring of certain state employees, except while a declared**  
2 **condition of disaster emergency is in effect; and providing for an effective date."**

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

4 **\* Section 1.** AS 39.25 is amended by adding a new section to read:

5 **Sec. 39.25.025. Prohibition on hiring.** (a) The authority to appoint to  
6 positions in state service in AS 39.25.020 may not be exercised except as follows:

7 (1) the governor may appoint

8 (A) all officers of the armed forces of the state as provided in  
9 art. III, sec. 19, Constitution of the State of Alaska;

10 (B) the head of each principal executive department in state  
11 government as provided in art. III, sec. 25, Constitution of the State of Alaska;

12 (C) members of departmental boards, councils, or commissions  
13 as provided in art. III, sec. 26, of the Constitution of the State of Alaska;

14 (D) members of boards of public corporations that are

1 instrumentality of the state as provided by statute;

2 (2) the governor may make appointments to fill vacancies

3 (A) occurring during the recess of the legislature as provided in  
4 art. III, sec. 27, Constitution of the State of Alaska;

5 (B) in an office of supreme court justice or superior court judge  
6 as provided in art. IV, sec. 5, Constitution of the State of Alaska, or in an office  
7 of judge of the court of appeals or judge of a district court;

8 (3) the Board of Regents of the University of Alaska may appoint a  
9 president of the university as provided in art. VII, sec. 3, Constitution of the State of  
10 Alaska;

11 (4) the legislature may appoint an auditor as provided in art. IX, sec.  
12 14, Constitution of the State of Alaska, an ombudsman as provided in AS 24.55.020,  
13 and a victims' advocate as provided in AS 24.65.020.

14 (b) While a declared condition of disaster emergency is in effect under  
15 AS 26.23.020, (a) of this section does not apply to the governor or the legislature.

16 (c) For purposes of this section, "state service" means employment by the state  
17 as a public employee or public officer. In this subsection,

18 (1) "employment by the state" includes employment by the executive,  
19 legislative, or judicial branch of state government, including the University of Alaska,  
20 public or quasi-public corporations, boards and commissions, and the Alaska Railroad  
21 Corporation;

22 (2) "public employee" means a permanent, probationary, seasonal,  
23 temporary, provisional, or nonpermanent employee of the state, whether in the  
24 classified, partially exempt, or exempt service;

25 (3) "public officer" means a state public employee or a member of a  
26 board or commission.

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