

CS FOR HOUSE BILL NO. 282(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 2/27/08

Referred: State Affairs

Sponsor(s): REPRESENTATIVES DOOGAN, Kerttula

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to eligibility for membership on state boards, commissions, and**
2 **authorities."**

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

4 *** Section 1.** AS 39.05.100 is amended by adding a new subsection to read:

5 (c) A person is not eligible for appointment to a state board, commission, or
6 authority if the person sought nomination or became a candidate for elective state or
7 federal office during the preceding year, unless holding a particular elective state or
8 federal office is required by law for appointment. In this subsection, a person sought
9 nomination or became a candidate if the person

10 (1) under regulations adopted by the Alaska Public Offices
11 Commission to implement AS 15.13.100, indicates an intention to become a candidate
12 for elective state executive or legislative office;

13 (2) has filed a nominating petition under AS 15.25.140 - 15.25.200,
14 AS 15.30.026, AS 15.40.180, 15.40.190, 15.40.270 - 15.40.290, or 15.40.430 -

1 15.40.450 to become a candidate for elective state or federal executive or legislative
2 office;

3 (3) has filed a declaration of candidacy for elective state or federal
4 office under AS 15.25.030; or

5 (4) campaigns as a write-in candidate for elective state or federal
6 executive or legislative office.

7 * **Sec. 2.** AS 39.25.160(e) is amended to read:

8 (e) An employee in the classified, partially exempt, or exempt service who
9 seeks nomination or becomes a candidate for state or national elective political office
10 shall immediately resign any position held in the state service. The employee's
11 position becomes vacant on the date the employee files a declaration of candidacy for
12 state or national elective office. This subsection applies to employees in the exempt
13 service, except those listed below, notwithstanding AS 39.25.110. This subsection
14 does not apply to

15 (1) a justice, judges, magistrates, and employees of the judicial branch,
16 including employees of the judicial council;

17 (2) the governor or the lieutenant governor;

18 (3) a member of the legislature;

19 (4) an employee seeking election as a delegate to a constitutional
20 convention;

21 (5) officers and employees of the University of Alaska;

22 (6) certificated teachers and noncertificated employees employed by a
23 regional educational attendance area established and organized under AS 14.08.031 -
24 14.08.041 to teach in, administer, or operate schools under the control of a regional
25 educational attendance area school board;

26 (7) certificated teachers employed as correspondence teachers, teachers
27 in skill centers operated by the Department of Education and Early Development, or
28 teachers at Mt. Edgecumbe School;

29 (8) [MEMBERS OF BOARDS AND COMMISSIONS AND
30 AUTHORITIES IF THE MEMBER IS NOT ENTITLED TO COMPENSATION
31 OTHER THAN PER DIEM AND TRAVEL FOR SERVICE ON THE BOARD,

1 COMMISSION, OR AUTHORITY;

2 (9)] emergency fire-fighting personnel employed by the Department of
3 Natural Resources for a fire emergency or for fire prevention and related activities
4 conducted under AS 41.15.030;

5 (9) [(10)] youth employed by the Department of Natural Resources
6 under the Youth Employment and Student Intern programs;

7 (10) [(11)] students employed by the state institutions in which the
8 students are enrolled;

9 (11) [(12)] persons engaged in employment or pre-employment
10 training programs operated by the Department of Military and Veterans' Affairs;

11 (12) [(13)] a participant in the Alaska temporary assistance program
12 under AS 47.27 who holds a temporary position with the state in order to obtain job
13 training or experience.

14 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 APPLICABILITY. The amendments to AS 39.05.100 made by sec. 1 of this Act apply
17 only to

18 (1) members of state boards, commissions, or authorities running for elective
19 state or federal office on or after the effective date of this Act; and

20 (2) the eligibility for appointment to state boards or commissions of persons
21 running for elective state or federal office on or after the effective date of this Act.