

Introduced: 1/23/68
Referred: Judiciary and
State Affairs

1 IN THE HOUSE

BY RAY

2 HOUSE BILL NO. 387

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to legislators seeking or holding
7 office as governor, secretary of state, or member of
8 Congress, and providing for an effective date."

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

10 * Section 1. AS 24.05.040 is amended to read:

11 Sec. 24.05.040. DUAL OFFICE. No member of the legislature may
12 hold any other office or position of profit under the United States or
13 the state. During the term for which elected and for one year thereafter,
14 no legislator may be nominated, elected or appointed to any other office
15 or position of profit which has been created, or the salary or emolu-
16 ments of which have been increased while he was a member. A legislator
17 may not seek or hold [THIS SECTION DOES NOT PREVENT ANY PERSON FROM
18 SEEKING OR HOLDING] the office of governor, secretary of state, or mem-
19 ber of Congress without first having resigned his seat as legislator.
20 This section does not apply to employment by or election to a constitu-
21 tional convention. A member may serve on or at the behest of an interim
22 committee of the legislature. An office of profit as used in this
23 section means an elective office on the state or federal levels of
24 government, the holder of which is entitled to a salary; a position of
25 profit means an appointive position on the state or federal levels of
26 government, the holder of which has the authority to make policy and is
27 entitled to a salary for his services. Employment as a "teacher" as de-
28 fined in AS 14.17.250(12) shall not be considered as holding an office
29 or position of profit.

1 ■ Sec. 2. This Act takes effect at the time and upon the condition that
2 the people ratify and then takes effect on amendment to Section 5, Article II
3 of the Constitution of the State of Alaska to require that a legislator may
4 not seek or hold the office of governor, secretary of state, or member of
5 Congress without first having resigned his seat as legislator.

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