

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE
BY REQUEST

2 SENATE BILL NO. 296 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Integrated Bar Act."

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

8 * Section 1. AS 08.08.020 is amended to read:

9 Sec. 08.08.020. [ACTIVE] MEMBERS. (a) Every person licensed to
10 practice law in the state shall become a member [EXCEPT A JUDGE OF A
11 COURT OF RECORD IS ELIGIBLE FOR ACTIVE MEMBERSHIP] in the Alaska Bar.
12 All active and inactive members in good standing as of the effective date
13 of this Act shall be considered to be members.

14 (b) A person licensed to practice law in the state who, on the
15 effective date of this Act, is not enrolled on the membership rolls,
16 shall be reinstated as a member only in accordance with the Alaska Bar
17 rules.

18 * Sec. 2. AS 08.08.030 is amended to read:

19 Sec. 08.08.030. GOVERNANCE OF THE ALASKA BAR. The Alaska Bar is
20 governed by the Board of Governors of the Alaska Bar. The board has the
21 powers and duties conferred by this chapter and by the Alaska Bar rules.
22 Members of the board shall receive no salary.

23 * Sec. 3. AS 08.08.040 is amended to read:

24 Sec. 08.08.040. BOARD OF GOVERNORS OF THE ALASKA BAR. (a) There
25 is hereby constituted a Board of Governors of the Alaska Bar to be
26 elected under bylaws and regulations [RULES] promulgated by the board.

27 (b) The board consists of nine active [PRACTICING] members elected
28 by the active members of the Alaska Bar [FROM THE FOUR JUDICIAL DIS-
29 TRICTS].

1 * Sec. 4. AS 08.08.080 is repealed and re-enacted to read:

2 Sec. 08.08.080. POWERS OF BOARD. (a) The board may adopt reason-
3 able provisions

4 (1) concerning membership and the classification of membership
5 in the Alaska Bar;

6 (2) providing for employees of the Alaska Bar, the time,
7 place and method of their selection, and their respective powers, duties,
8 terms of office, and compensation;

9 (3) concerning annual and special meetings;

10 (4) concerning the collection, deposit, and disbursement of
11 membership and admission fees, penalties, and all other funds;

12 (5) providing for the organization and government of local
13 subdivisions of the Alaska Bar;

14 (6) providing for all other matters affecting in any way the
15 organization and functioning of the Alaska Bar.

16 (b) The board may

17 (1) approve and recommend to the state supreme court addi-
18 tional rules for promulgation by the court including rules concerning
19 admission and discipline and defining the practice of law;

20 (2) adopt reasonable bylaws and regulations consistent with
21 the Alaska Bar rules;

22 (3) sue in the name of the Alaska Bar in a court of competent
23 jurisdiction to enjoin a person from doing an act constituting a viola-
24 tion of this chapter;

25 (4) fix the annual membership fee for active and inactive
26 members.

27 * Sec. 5. AS 08.08.090 is amended to read:

28 Sec. 08.08.090. POWER OF THE BAR TO MAKE OR CHANGE BYLAWS AND
29 REGULATIONS [RULES]. Any bylaw or regulation [RULE] adopted by the

1 Board of Governors [UNDER SEC. 80 OF THIS CHAPTER] may be modified, or
2 rescinded, or a new bylaw or regulation [RULE] may be adopted, by a vote of
3 the active members of the association under bylaws and regulations [RULES]
4 to be prescribed by the Board of Governors.

5 * Sec. 6. AS 08.08.100 is amended to read:

6 Sec. 08.08.100. ADMINISTRATIVE PROCEDURE ACT. The bylaws and
7 regulations [RULES] adopted by the board or the members of the Alaska
8 Bar under this chapter are not subject to the Administrative Procedure
9 Act.

10 * Sec. 7. AS 08.08.210 is amended to read:

11 Sec. 08.08.210. WHO MAY PRACTICE LAW. (a) No person may engage
12 in the [PRIVATE] practice of law in the state unless he is licensed to
13 practice law in Alaska and is an active member of the Alaska Bar. A
14 member of the bar in good standing in another jurisdiction may appear
15 in the courts of the state under the rules the supreme court [THE
16 BOARD] may prescribe.

17 (b) The practice of law shall be defined in the Alaska Bar rules.

18 (c) For the purposes of this chapter and for admission to the
19 Alaska Bar, employment with the Alaska Legislative Affairs Agency
20 shall not be deemed the practice of law.

21 * Sec. 8. AS 08.08.230 is amended to read:

22 Sec. 08.08.230. UNLAWFUL PRACTICE A MISDEMEANOR. Any person not
23 an active member of the Alaska Bar and not licensed to practice law in
24 Alaska who engages in the [PRIVATE] practice of law or represents
25 himself as entitled to engage in the [PRIVATE] practice of law as that
26 term is defined in the Alaska Bar rules, [IN THE STATE OTHER THAN AS
27 PERMITTED BY THIS CHAPTER] is guilty of a misdemeanor and upon conviction
28 is punishable by a fine of not more than \$25,000 [\$1,000], or by
29 imprisonment for not more than one year, or by both.

1 *Sec. 9. AS 08.08.110 - 08.08.200, AS 08.08.240 and AS 44.62.330(a)(22)
2 are repealed.

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