

Introduced: 4/6/81
Referred: Judiciary and
Finance

1 IN THE SENATE

BY RODEY

2 SENATE BILL NO. 392 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Governors of the Alaska Bar Association and amending
8 the statutes relating to the practice of law in the
9 state; and providing for an effective date."

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

11 * Section 1. AS 08.03.010(c) is amended by adding a new paragraph to
12 read:

13 (19) Board of Governors of the Alaska Bar Association (AS 08.-
14 08.040) -- June 30, 1984.

15 * Sec. 2. AS 08.08.040 is amended to read:

16 Sec. 08.08.040. BOARD OF GOVERNORS OF THE ALASKA BAR. (a) There
17 is created [HEREBY CONSTITUTED] a Board of Governors of the Alaska Bar
18 to be elected under bylaws and regulations adopted [PROMULGATED] by the
19 board.

20 (b) The board consists of nine active members elected by the
21 active members of the Alaska Bar and three persons who are appointed
22 by the governor and who are not attorneys.

23 * Sec. 3. AS 08.08.050(a) is amended to read:

24 Sec. 08.08.050. SELECTION [ELECTION] OF THE BOARD. (a) Two
25 members of the board shall be elected by and from among the members of
26 the association resident in the first judicial district; four members
27 of the board shall be elected by and from among the members of the
28 association resident in the third judicial district; two members by and
29 from among the members of the association resident in the combined area

1 of the second and fourth judicial districts; and one member at large
2 from the entire state. Three members who are not attorneys shall be
3 appointed by the governor and are subject to confirmation by the legis-
4 lature in joint session.

5 * Sec. 4. AS 08.08.050(b) is amended to read:

6 (b) Members of the Board of Governors shall hold office for three
7 years and until their successors are elected or appointed and qualified.

8 * Sec. 5. AS 08.08.050(c) is repealed and reenacted to read:

9 (c) Three board members shall be selected annually, on the fol-
10 ling triennial rotation:

11 (1) in the first year, one member from the first judicial
12 district, one member from the combined area of the second and fourth
13 judicial districts, one member from the third judicial district, and
14 one appointed member;

15 (2) in the second year, one member at large, two members
16 from the third judicial district, and one appointed member; and

17 (3) in the third year, one member from the combined area
18 of the second and fourth judicial districts, one member from the
19 third judicial district, one member from the first judicial district,
20 and one appointed member.

21 *Sec. 6. AS 08.08.070 is repealed and reenacted to read:

22 Sec. 08.08.070. VACANCIES ON THE BOARD. (a) The board shall
23 fill a vacancy in the elected membership of the board until the next
24 annual election.

25 (b) The governor shall appoint a member to fill a vacancy in the
26 appointed membership of the board for the unexpired term.

27 * Sec. 7. AS 08.08 is amended by adding a new section to read:

28 Sec. 08.08.075. MEETINGS OF THE BOARD. AS 44.62.310 and 44.62.312
29 apply to the meetings of the board. Members of the Alaska Bar and the

1 public shall be given 30 days notice of meetings of the board except
2 for emergency meetings. Meetings of the board shall take place in the
3 state.

4 * Sec. 8. AS 08.08.080 is amended to read:

5 Sec. 08.08.080. POWERS OF BOARD. (a) Except as may be otherwise
6 provided in this chapter or the Alaska Bar Rules, the board may adopt
7 reasonable provisions

8 (1) concerning membership and the classification of member-
9 ship in the Alaska Bar;

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

13 (3) concerning annual and special meetings;

14 (4) concerning the establishment, collection, deposit, in-
15 vestment, and disbursement of membership and admission fees, penalties,
16 and all other funds;

17 [(5) PROVIDING FOR THE ORGANIZATION AND GOVERNMENT OF LOCAL
18 SUBDIVISIONS OF THE ALASKA BAR;]

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

21 (b) The board may

22 (1) approve and recommend to the state supreme court [ADDI-
23 TIONAL RULES FOR PROMULGATION BY THE COURT INCLUDING] rules concerning
24 admission, [AND] discipline, licensing and continuing legal education
25 [AND DEFINING THE PRACTICE OF LAW];

26 (2) adopt reasonable bylaws and regulations consistent with
27 this chapter and the Alaska Bar Rules;

28 (3) sue in the name of the Alaska Bar in a court of competent
29 jurisdiction to enjoin a person from doing an act constituting a vio-

1 lation of this chapter;

2 (4) establish classifications of membership and fix the
3 annual membership fees; [FEE FOR ACTIVE AND INACTIVE MEMBERS]

4 (5) provide for continuing legal education and for certifi-
5 cation of a continuing legal education program;

6 (6) establish a program for the certification of attorneys
7 as specialists.

8 * Sec. 9. AS 08.08.085 is amended by adding new subsections to read:

9 (b) The report of the Board of Governors shall note

10 (1) each addition, modification, or repeal of a bylaw or
11 regulation of the Alaska Bar;

12 (2) each addition, modification, or repeal of the Alaska Bar
13 Rules proposed to or adopted by the state supreme court.

14 (c) The report of the Board of Governors may recommend to the
15 legislature changes to this chapter and to the provisions of state law
16 generally.

17 * Sec. 10. AS 08.03.010(b)(11) is repealed.

18 * Sec. 11. The governor shall appoint the initial non-attorney members
19 to the Board of Governors for the following terms: one member for a three-
20 year term; one member for a two-year term; and one member for a one-year
21 term.

22 * Sec. 12. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).