

**HB**

**282**




## Alaska State Legislature

**Mike Doogan**  
Representative  
District 25, Anchorage

### MEMORANDUM

**To:** Representative Bob Lynn, Chairman  
House State Affairs Committee

**From:** Representative Mike Doogan 

**Date:** February 26, 2008

**Re:** Hearing request for HB 282: State Boards, Commissions & Authorities

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I respectfully request that House Bill 282, an act relating to eligibility for membership on state boards, commissions, and authorities, be scheduled for a hearing in the House State Affairs Committee.

Attached you will find a current version of the bill, a sponsor's statement, a sectional analysis, a summary of changes, and pertinent background information.

Please feel free to contact me or my aide Priya Keane with questions or thoughts at 465-4998.

State Capitol  
Juneau, AK 99801  
907-465-4998 or 800-689-4998  
Fax 907-465-4419

716 West 4th Avenue  
Anchorage, AK 99501  
907-269-0216  
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Rep Mike Doogan@legis.state.ak.us



# Alaska State Legislature

**Mike Doogan**  
Representative  
District 25, Anchorage

## SPONSOR STATEMENT

### HB 282

#### **Conflict of Interest and State Boards, Commissions & Authorities**

It is currently legal for individuals serving without pay on state boards, commissions, and authorities to raise money for state or federal elective office. House Bill 282 would require they resign their position before they declare their candidacy and begin raising money.

Ethics laws serve many purposes. Among these is the elimination of conflicts of interest, both real and perceived. Allowing members of boards, commissions, and authorities to run for political office and raise money from the very people who have a stake in matters before these bodies leaves open a window of opportunity for abuse – a window that should be permanently closed.

Current law only requires members of state boards, commissions, and authorities who receive salaries to resign their post prior to declaring candidacy for state or federal office. That only covers 22 of the 120 boards, commissions, and authorities in the state, however. HB 282 would expand the law to cover all 120 state boards, commissions and authorities, requiring paid or unpaid members to resign their position before declaring candidacy. The law provides an exception for people appointed to state boards, commissions, or authorities due to their elective office.

HB 282 also stipulates that people who ran for elective office would not be eligible for appointment to a state board, commission, or authority for one calendar year following a bid for elective office. This creates a "cooling off" period after a person's bid for office, removing them from the immediate influence – real or perceived – of contributors who may have business before their board, commission or authority in the future.



# Alaska State Legislature

**Mike Doogan**

Representative  
District 25, Anchorage

## SECTIONAL ANALYSIS

### HB 282

#### **An Act relating eligibility for membership on state boards, commissions & authorities**

- Section 1:** Amends AS 39.05.100 to stipulate that a person is not eligible for appointment to a state board, commission, or authority if said person sought nomination or became a candidate for elective state or federal office during the preceding year. Provides exception for positions where holding a particular elective state or federal office is required by law for appointment.
- Section 2:** Amends AS 39.25.160(e) to stipulate that members of boards, commissions or authorities who do not receive salaries are no longer exempt from the requirement to resign once they seek nomination or become a candidate for state or national elective political office.
- Section 3:** States that the prohibition against appointment to a board, commission or authority for one year following a bid for office as outlined in Section 1 applies only to candidates who run for office after the effective date of the Act.



## Alaska State Legislature

**Mike Doogan**

Representative  
District 25, Anchorage

### **Summary of Changes in CS for HB 282**

The following changes have occurred between the original version of HB 282 and HB 282 (CRA).

#### **Allowing legislators to retain membership when serving due to their elective office**

The previous version of the bill contained no exception for those appointed to state boards, commissions, or authorities due to their office or position to retain their positions when running for reelection. The CS adds a clause that allows those serving "ex officio" and those who are eligible candidates for appointment due to their elective office to retain their appointments despite declaring candidacy.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2028  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 13, 2008

**SUBJECT:** Requested amendment to HB 282  
(Work Order No. 25-LS1117C.1)

**TO:** Representative Mike Doogan  
Attn: Priya Keane

**FROM:** Alpheus Bullard *AB*  
Legislative Counsel

This memorandum accompanies the amendment you requested.

The amendment excepts a person who would be appointed to a state board, commission, or authority due to the person's office or position from the operation of the bill's sec. 1. The amendment is drafted to apply to both a person who might serve "ex officio" and a person who is an eligible candidate for appointment due to the person's elective office.

Please note, (1) if the amendment is not made, there is some legal ambiguity as to whether a member serving "ex officio" is "appointed," and (2), that the bill would not make all legislators (legislators as an example) ineligible for appointment, only those legislators that had sought nomination or become candidates for elective state or federal office during the preceding year.

If you have any questions, please do not hesitate to contact me.

TLAB:ljw  
08-082.ljw

Enclosure

**AMENDMENT**

OFFERED IN THE HOUSE

TO: HB 282

- 1 Page 1, line 7, following "year":
- 2       Insert ", unless holding a particular elective state or federal office is required by law
- 3 for appointment"

# LEGISLATIVE RESEARCH REPORT

JANUARY 3, 2008



REPORT NUMBER 08.084

## COMPENSATION FOR MEMBERS OF BOARDS, COMMISSIONS AND RELATED ORGANIZATIONS IN ALASKA

PREPARED FOR REPRESENTATIVE MIKE DOOGAN

BY THERESA SVANCARA, LEGISLATIVE ANALYST

You asked about boards, commissions, and related organizations, such as authorities, councils, committees, and conferences, in Alaska. Specifically, you wanted to know the number of such organizations that provide compensation other than per diem and travel reimbursement to their members.

Of the 120 currently active boards, commissions, and related organizations listed on the Office of the Governor's website, 22 organizations provide compensation besides per diem and travel reimbursement to their members.<sup>1</sup> Typically, the additional compensation includes salaries or honoraria paid to members for the days they attend meetings.<sup>2</sup> Table 1 shows the name of each organization and whether members receive additional compensation.

<sup>1</sup> Member compensation for these boards, commissions, and related organizations is available from the Office of the Governor, "List of Boards and Commissions: Fact Sheets, Rosters, and Websites," online at <http://gov.state.ak.us/boards/list.php>. According to Jacob Good, executive secretary for the Governor's Boards and Commissions Office, (907) 465-3500, this is a complete list of active boards and commissions to which the governor makes appointments. For organizations that do not address the details of member compensation on the website, we obtained this information directly from the organizations. Personal communication with James Marcotte, executive director, Board of Fisheries, (907) 465-6095; Dan Seamount, governor's official representative, Interstate Oil and Gas Compact Commission, (907) 793-1221; David Witherell, deputy director, North Pacific Fishery Management Council, (907) 271-2809; Gordy Williams, special assistant, Pacific Salmon Commission - Northern Panel and Pacific Salmon Commission - Transboundary Panel, (907) 465-6143; Nancy Bird, president, Prince William Sound Science Center, Prince William Sound Oil Spill Recovery Institute Advisory Board, (907) 424-5800; Kim Skipper, aide for Representative Fairclough, Task Force to Review the Council on Domestic Violence and Sexual Assault, (907) 694-8944; and Ann Wilde, commission section manager, Regulatory Commission of Alaska, (907) 263-2163. A contact for the Alaska Statehood Celebration Commission had not returned phone calls to provide member compensation information by the time this report was completed.

<sup>2</sup> Salaries are based on State of Alaska and federal pay scales; honoraria range from \$50-\$400 per day.

Table 2 shows the total number of organizations that provide additional compensation reported by the type of organization. / , you will see, 12 of the 58 boards provide compensation beyond per diem and travel reimbursement to their members. Six of the 29 commissions and two of the four authorities provide additional compensation. Also, one council and one committee compensate their members beyond per diem and travel reimbursement.

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I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

**Table 1: Compensation for Members of Alaska Boards, Commissions, and Related Organizations, January 2008**

Organization	Compensation for Members Other than Per Diem and Travel
Accountancy, Alaska State Board of Public	
Aerospace Development Corporation Board of Directors, Alaska	industry/business/public members \$100/day
Aging, Alaska Commission on	
Agriculture and Conservation Board	
Alaska Health Care Strategies Planning Council	
Alaska Retirement Management Board	\$400/day
Alaska Statehood Celebration Commission	(a)
Alaska-Alberta Bilateral Council	
Alcoholic Beverage Control Board	
Alcoholism and Drug Abuse, Advisory Board on	
Architects, Engineers, & Land Surveyors, State Board of Registration for	
Arts, Alaska State Council on the	
Assessment Review Board, State	
Aviation Advisory Board	
Bald Eagle Preserve Advisory Council, Alaska Chilkat	
Bar, Board of Governors of the Alaska	
Barbers and Hairdressers, Board of	
Big Game Commercial Services Board	
Boating Safety Advisory Board	
Broadcasting Commission, Alaska Public	
Children's Trust Board, Alaska	
Chiropractic Examiners, Board of	
Clemency Advisory Committee	
Commemorative Coin Commission, Alaska	
Commercial Fisheries Entry Commission, Alaska	exempt state salary range for Juneau, 26C
Commercial Fishing and Agriculture Bank Board of Directors	not to exceed \$250/day
Community Service Commission, Alaska	
Denali Access System Advisory Committee	
Dental Examiners, Board of	
Disabilities and Special Education, Governor's Council on	
Domestic Violence and Sexual Assault, Council on	
Domestic Violence and Sexual Assault, Task Force to Review the Council on	
Education and Early Development, Board of	
Education Commission of the States	
Emergency Medical Services, Alaska Council on	
Emergency Response Commission, Alaska State	

**Table 1: Compensation for Members of Alaska Boards, Commissions,  
and Related Organizations, January 2008**  
(continued)

Organization	Compensation for Members Other than Per Diem and Travel
Employment and Rehabilitation of People With Disabilities, Governor's Committee on	
Exxon Valdez Oil Spill Settlement Trustees	
Faith-Based and Community Initiatives Advisory Council	
Fire Standards Council	
Fisheries, Board of	state salary range 20A for board meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)
Fishermen's Fund Advisory and Appeals Council	
Forestry, Board of	
Game, Board of	state salary range 20A for regulatory meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)
Historical Commission, Alaska	
Historical Records Advisory Board, State	
Homeless Council	
Housing Finance Corporation, Alaska	\$100/day
Human Rights, State Commission for	
Humanities Forum, Alaska	
Independent Living Council, Statewide	
Industrial Development and Export Authority, Alaska	\$100/day
Interstate Oil and Gas Compact Commission	
Judicial Conduct, Commission on	
Judicial Council, Alaska	
Juvenile Justice Advisory Committee, Alaska	
Knik Arm Bridge And Toll Authority, Alaska	\$300/day
Labor Relations Agency	
Libraries, Advisory Council on	
Local Boundary Commission	
Marine Pilots, Board of	
Marine Transportation Advisory, Board of	
Marital and Family Therapy, Board of	
Medical Board, State	
Mental Health Board, Alaska	
Mental Health Trust Authority Board of Trustees, Alaska	\$200/day
Midwives, Board of Certified Direct-Entry	
Minerals Commission, Alaska	
Municipal Bond Bank Authority, Alaska	
Natural Gas Development Authority, Alaska	
Natural Resources Conservation & Development Board	

**Table 1: Compensation for Members of Alaska Boards, Commissions, and Related Organizations, January 2008**

(continued)

Organization	Compensation for Members Other than Per Diem and Travel
North Pacific Anadromous Fish Commission - Advisory Panel to the U.S. Section	
North Pacific and Bering Sea Fisheries Advisory Body	
North Pacific Fishery Management Council	non-governmental members federal salary, GS 15-10 (\$465/day)
North Pacific Research Board	
Nursing, Board of	
Occupational Safety and Health Review Board	\$50/day
Oil and Gas Conservation Commission, Alaska	salary of \$118,000 annually
Optometry, Board of Examiners in	
Pacific Marine Fisheries Commission	
Pacific Salmon Commission, Commissioners Panel	
Pacific Salmon Commission, Northern Panel	federal salary. \$553/day
Pacific Salmon Commission, Transboundary Panel	federal salary. \$553/day
Parole, State Board of	\$250/day
Permanent Fund Corporation Board of Trustees, Alaska	\$400/day
Personnel Board	
Pharmacy, Board of	
Physical Therapy and Occupational Therapy Board, State	
Pioneers' Homes Advisory Board, Alaska	
Police Standards Council, Alaska	
Postsecondary Education, Alaska Commission on	
Prince William Sound Oil Spill Recovery Institute Advisory Board	
Professional Counselors	
Professional Teaching Practices Commission	
Psychologist and Psychological Associate Examiners, Board of	
Public Offices Commission, Alaska	\$50/day
Railroad Corporation, Board of Directors of the Alaska	\$400/day
Real Estate Appraisers, Board of Certified	
Real Estate Commission	
Regents, University of Alaska Board of	
Regulatory Commission of Alaska	
Royalty Oil and Gas Development Advisory Board, Alaska	members receive monthly salaries at exempt state salary range 26C (\$7,142/month); chair at range 27C (\$7,402/month)
Safety Advisory Council, Alaska	
Seafood Marketing Institute, Alaska	

**Table 1: Compensation for Members of Alaska Boards, Commissions,  
and Related Organizations, January 2008**  
(continued)

Organization	Compensation for Members Other than Per Diem and Travel
Seismic Hazards Safety Commission, Alaska	
Social Work Examiners, Board of	
Student Loan Corporation, Alaska	
Subsistence Resource Commissions, National Park and Park Monument	
Suicide Prevention Council	
Uniform State Laws, National Conference of Commissioners on	
Veterans Advisory Council, Alaska	
Veterinary Examiners, Board of	
Violent Crimes Compensation Board	
Water and Wastewater Works Advisory Board	
Western Interstate Commission for Higher Education	
Wood-Tikchik State Park Management Council	
Workers' Compensation Appeals Commission	
Workers' Compensation Board, Alaska	members, except chair, \$50/day
Workforce Investment Board (formerly AHRIC), Alaska	
Yukon River Panel	members and alternates, federal salary, GS-15 (\$360/day)

**Notes:** The compensation amounts listed are provided to members for actual meeting days, unless otherwise specified.

(a) A contact for the Alaska Statehood Celebration Commission had not returned phone calls to provide member compensation information, by the time this report was completed.

**Sources:** Details on the compensation of members of Alaska state boards, commissions, and related organizations are available from the Office of the Governor, "List of Boards and Commissions: Fact Sheets, Rosters, and Websites," online at <http://gov.state.ak.us/boards/list.php>. For organizations that do not address the details of member compensation on the website, we obtained this information directly from the organizations. Personal communication with James Marcotte, executive director, Board of Fisheries, (907) 465-0095; Dan Seamount, governor's official representative, Interstate Oil and Gas Compact Commission, (907) 793-1221; David Witherell, deputy director, North Pacific Fishery Management Council, (907) 271-2808; Gordy Williams, special assistant, Pacific Salmon Commission - Northern Panel and Pacific Salmon Commission - Transboundary Panel, (907) 465-8143; Nancy Bird, president, Prince William Sound Science Center, for the Prince William Sound Oil Spill Recovery Institute Advisory Board, (907) 424-5800; Kim Skipper, aide for Representative Fairclough, Task Force to Review the Council on Domestic Violence and Sexual Assault, (907) 594-8944, and Ann Wade, commission section manager, Regulatory Commission of Alaska, (907) 265-2163.

**Table 2: Number of Alaska Boards, Commissions and Related Organizations Providing Additional Member Compensation, January 2008**

Type of Organization	Total Number	Number that Provide Compensation Besides Per Diem and Travel
Board	58	12
Commission	29	6
Council	22	1
Committee	5	1
Authority	4	2
Conference	1	0
Agency	1	0
<b>Total</b>	<b>120</b>	<b>22</b>

Note: A contact for the Alaska Statehood Celebration Commission had not returned phone calls to provide member compensation information by the time this report was completed

Sources: Details on the compensation of members of Alaska state boards, commissions, and related organizations are available from the Office of the Governor, "List of Boards and Commissions: Fact Sheets, Rosters, and Websites," online at <http://gov.state.ak.us/boards/list.php>. For organizations that do not address the details of member compensation on the website, we obtained this information directly from the organizations. Personal communication with James Marcotte, executive director, Board of Fisheries, (907) 465-6095; Dan Seamount, governor's official representative, Interstate Oil and Gas Compact Commission, (907) 793-1221; David Witherell, deputy director, North Pacific Fishery Management Council, (907) 271-2809; Gordy Williams, special assistant, Pacific Salmon Commission - Northern Panel and Pacific Salmon Commission - Transboundary Panel, (907) 465-6143; Nancy Bird, president, Prince William Sound Science Center, for the Prince William Sound Oil Spill Recovery Institute Advisory Board, (907) 424-5600; Kim Skipper, aide for Representative Fairclough, Task Force to Review the Council on Domestic Violence and Sexual Assault, (907) 694-8944; and Ann Wilde, commission section manager, Regulatory Commission of Alaska, (907) 263-2163

**Section 39.05.100 QUALIFICATIONS FOR APPOINTMENT.**

(a) A person appointed to a board or commission of the state government shall be and have been before the last general election, (1) a registered voter in the state, if the appointment is made at large or (2) a registered voter from the judicial district, if the appointment is made from a specific judicial district. The student member of the Board of Regents of the University of Alaska appointed under AS 14.40.150(b), the student member of the Alaska Commission on Postsecondary Education appointed under AS 14.42.015 (e), and a member of the Alaska Human Relations Commission appointed under AS 44.19.600 . are exempt from the requirement of this subsection if the member was not old enough to be a registered voter in the last general election.

(b) A member of a board or commission of the state government who ceases to reside in the state during the member's term terminates membership on the board or commission. For the purposes of this section, the acceptance of employment outside the state for a six-month period or longer, or physical absence from the state for one year or longer, or registration as a voter in a municipal, county, district, state, or national election in a voting precinct outside the state is considered as discontinuing residence in the state.

**ALASKA STATUTES**

**Title 39. PUBLIC OFFICERS AND EMPLOYEES**

**Chapter 39.25. STATE PERSONNEL ACT**

**Article 04. PROHIBITIONS**

**Sec. 39.25.160. Prohibitions generally.**

(a) A classified employee may not take an active part in the management of a political party above the precinct level.

(b) A person may not give, tender, pay, offer, solicit, or accept money, services, or other valuable thing in connection with securing or making an appointment, promotion, or advantage in a position in the classified service.

(c) A person may not require an assessment, subscription, contribution, or service for a political party from a state employee.

(d) A person may not seek or attempt to use a political party endorsement in connection with an appointment or promotion in the classified service.

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

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

(2) the governor or the lieutenant governor;

(3) a member of the legislature;

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

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

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

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

\_\_\_\_ (8) members of boards and commissions and authorities if the member is not entitled to compensation other than per diem and travel for service on the board, commission, or authority;

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

(10) youth employed by the Department of Natural Resources under the Youth Employment and Student Intern programs;

(11) students employed by the state institutions in which the students are enrolled;

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

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

	Organization	Compensation for Members Other than Per Diem and Travel	Number of Members
1	Aerospace Development Corporation Board of Directors, AK	industry/business/public members \$100/day	11
2	Alaska Retirement Management Board	\$400/day	9
3	Commercial Fisheries Entry Commission, AK	exempt state salary range for Juneau, 26C	3
4	Commercial Fishing and Agriculture Bank Board of Directors	not to exceed \$250/day	7
5	Fisheries, Board of	state salary range 20A for board meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)	8
6	Game, Board of	state salary range 20A for board meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)	8
7	Housing Finance Corporation, AK	\$100/day	7
8	Industrial Development and Export Authority, AK	\$100/day	5
9	Knik Arm Bridge and Toll Authority, Alaska	\$300/day	7
10	Mental Health Trust Authority Board of Trustees, AK	\$200/day	7
11	North Pacific Fishery Management Council	non-governmental members federal salary, GS 15-10 (\$465/day)	15
12	Occupational Safety and Health Review Board	\$50/day	3
13	Oil and Gas Conservation Commission, AK	salary of \$118,000 annually	3
14	Pacific Salmon Commission, Northern Panel	federal salary, \$553/day	10
15	Pacific Salmon Commission, Transboundary Panel	federal salary, \$553/day	7
16	Parole, State Board of	\$250/day	5
17	Permanent Fund Corporation board of Trustees, AK	\$400/day	6
18	Public Offices Commission, AK	\$50/day	5
19	Railroad Corporation, Board of Directors of the AK	\$400/day	7
20	Regulatory Commission of AK	members receive monthly salaries at exempt state salary range 26C (\$7,142/month); chair at range 27C (\$7,402/month)	5
21	Workers Compensation Board, AK	members, except chair, \$50/day	19
22	Yukon River Panel	members and alternates, federal salary, GS-15 (\$360/day)	19
		<b>Total Number of Members Receiving Compensation Other than Per Diem and Travel:</b>	<b>176</b>

	Organization	Compensation for Members Other than Per Diem and Travel	Number of Members
1	Accountancy, Alaska State Board of Public	industry/business/public members	7
2	Aerospace Development Corporation Board of Directors, AK		11
3	Aging, Alaska Commission on		11
4	Agriculture and Conservation Board		7
5	Alaska Health Care Strategies Planning Council	\$400/day	14
6	Alaska Retirement Management Board		9
7	Alaska Statehood Celebration Commission		9
8	Alaska-Alberta Bilateral Council		16
9	Alcoholic Beverage Control Board		5
10	Alcoholism and Drug Abuse, Advisory Board on		15
11	Architects, Engineers, & Land Surveyors, State Board of Registration for		11
12	Arts, Alaska State Council on the		11
13	Assessment Review Board, State		5
14	Aviation Advisory Board		11
15	Bald Eagle Preserve Advisory Council, Alaska Chilkat		12
16	Bar, Board of Governors of the Alaska		12
17	Barbers and Hairdressers, Board of		6
18	Big Game Commercial Services Board		9
19	Boating Safety Advisory Board		7
20	Broadcasting Commission, Alaska Public		9
21	Children's Trust Board, Alaska		7
22	Chiropractic Examiners, Board of		5
23	Clemency Advisory Committee		3
24	Commemorative Coin Commission, Alaska	exempt state salary range for Juneau, 26C	11
25	Commercial Fisheries Entry Commission, Alaska	not to exceed \$250/day	3
26	Commercial Fishing and Agriculture Bank Board of Directors		7
27	Community Service Commission, Alaska		19
28	Denali Access System Advisory Committee		9
29	Dental Examiners, Board of		9
30	Disabilities and Special Education, Governor's Council on		28
31	Domestic Violence and Sexual Assault, Council on		7
32	Domestic Violence and Sexual Assault, Task Force to Review the Council		13
33	Education and Early Development, Board of		9
34	Education Commission of the States Emergency Medical Services, Alaska		7
35	Council on		17

36	Emergency Response Commission, Alaska State		16
37	Employment and Rehabilitation of People With Disabilities, Governor's Committee on		14
38	Exxon Valdez Oil Spill Settlement Trust: es		6
39	Faith-Based and Community Initiatives Advisory Council		23
40	Fire Standards Council	state salary range 20A for board meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)	11
41	Fisheries, Board of		8
42	Fishermen's Fund Advisory and Appeals Council		6
43	Forestry, Board of	state salary range 20A for board meetings (\$210/day); 1/2 Range 20A for other meetings (\$105/day)	8
44	Game, Board of		8
45	Historical Commission, Alaska		9
46	Historical Records Advisory Board, State		9
47	Homeless Council	\$100/day	12
48	Housing Finance Corporation, AK		7
49	Human Rights, State Commission for		7
50	Humanities Forum, Alaska		20
51	Independent Living Council, Statewide	\$100/day	13
52	Industrial Development and Export Authority, AK		5
53	Interstate Oil and Gas Compact Commission		3
54	Judicial Conduct, Commission on		9
55	Judicial Council, Alaska		7
56	Juvenile Justice Advisory Committee, Alaska	\$300/day	23
57	Knik Arm Bridge and Toll Authority, Alaska		7
58	Labor Relations Agency		6
59	Libraries, Advisory Council on		12
60	Local Boundary Commission		5
61	Marine Pilots, Board of		7
62	Marine Transportation Advisory, Board of		9
63	Marital and Family Therapy, Board of		5
64	Medical Board, State		8
65	Mental Health Board, Alaska	\$200/day	13
66	Mental Health Trust Authority Board of Trustees, AK		7
67	Nurses, Board of Certified Direct-Entry		5
68	Minerals Commission, Alaska		11
69	Municipal Bond Bank Authority, Alaska		5
70	Natural Gas Development Authority, Alaska		7
71	Natural Resources Conservation & Development Board		6

72	North Pacific Anadromous Fish Commission - Advisory Panel to the U.S. Section		7
73	North Pacific and Bering Sea Fisheries Advisory Body	non-governmental member - federal salary, GS 15-10 (\$465/day)	12
74	North Pacific Fishery Management Council		15
75	North Pacific Research Board		20
76	Nursing, Board of	\$50/day	7
77	Occupational Safety and Health Review Board	salary of \$118,000 annually	3
78	Oil and Gas Conservation Commission, AK		3
79	Optometry, Board of Examiners in		5
80	Pacific Marine Fisheries Commission		3
81	Pacific Salmon Commission, Commissioners Panel	federal salary, \$553/day	2
82	Pacific Salmon Commission, Northern Panel	federal salary, \$553/day	10
83	Pacific Salmon Commission, Transboundary Panel	\$250/day	7
84	Parole, State Board of	\$400/day	5
85	Permanent Fund Corporation board of Trustees, AK		6
86	Personnel Board		3
87	Pharmacy, Board of		7
88	Physical Therapy and Occupational Therapy Board, State		7
89	Pioneers' Homes Advisory Board, Alaska		8
90	Police Standards Council, Alaska		11
91	Postsecondary Education, Alaska Commission on		14
92	Prince William Sound Oil Spill Recovery Institute Advisory Board		16
93	Professional Counselors		5
94	Professional Teaching Practices Commission		9
95	Psychologist and Psychological Associate Examiners, Board of	\$50/day	5
96	Public Offices Commission, AK	\$400/day	5
97	Railroad Corporation, Board of Directors of the AK		7
98	Real Estate Appraisers, Board of Certified		5
99	Real Estate Commission		7
100	Regents, University of Alaska board of	members receive monthly salaries at exempt state salary range 26C (\$7,142/month); chair at range 27C (\$7,402/month)	11
101	Regulatory Commission of AK		5
102	Royalty Oil and Gas Development Advisory Board, Alaska		8
103	Safety Advisory Council, Alaska		14
104	Seafood Marketing Institute, Alaska		7

105	Seismic Hazards Safety Commission, Alaska		11
106	Social Work Examiners, Board of		5
107	Student Loan Corporation, Alaska		5
108	Subsistence Resource Commissions, National Park and Park Monument		63
109	Suicide Prevention Council		15
110	Uniform State Laws, National conference of Commissioners on		6
111	Veterans Advisory Council, Alaska		13
112	Veterinary Examiners, Board of		5
113	Violent Crimes Compensation Board		3
114	Water and Wastewater Works Advisory Board		8
115	Western Interstate Commission for Higher Education		3
116	Wood-Tickchik State Park Management Council		7
117	Workers' Compensation Appeals Commission	members, except chair, \$50/day	5
118	Workers Compensation Board, AK		19
119	Workforce Investment Board (formerly AHRIIC), Alaska	members and alternates, federal salary, GS-15 (\$360/day)	26
120	Yukon River Panel		19
		<b>Total Number of Members on Boards, Commissions, and Authorities:</b>	<b>1160</b>
		<b>Total Number of Members on Boards, Commissions, and Authorities affected by current law:</b>	<b>176</b>
		<b>Total Number of Members on Boards, Commissions, and Authorities affected by HB 282:</b>	<b>954</b>

Dave Feekins Kenai

Perry Underwood Anchorage

Wendy Chamberlain  
Assn of Realtors

Jerry Mackie  
Prudential

Employee

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define:INDEPENDENT CONTRACTOR

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## Web

Related phrases: independent contractor services independent contractor status

## Definitions of INDEPENDENT CONTRACTOR on the Web:

- A legal term for a person who is hired to do work for another person but who is not an employee or agent of that person. The hiring person is not responsible for the actions of the Independent Contractor nor does she owe that Independent Contractor the same legal duties owed by an Employer to an Employee under labor and employment laws.  
[www.tillecrookies.com/dictionary\\_i.htm](http://www.tillecrookies.com/dictionary_i.htm)
- A person or company retained to perform work for another, often under a written contract, whereby control is subjected to the end result and not as to how the work is performed. As opposed to an employee who receives direction on what, when and, to some degree, how to do a job. Care must be used in the classification of workers as either employees or independent contractors. What distinguishes them is the degree of control the employer has over the activities being performed. ...  
[www.faststart.state.nj.us/bfs\\_glossary.html](http://www.faststart.state.nj.us/bfs_glossary.html)
- The term is most important as used to describe the relationship of broker and salesperson, employee or independent contractor. If employee, the broker must withhold income tax and pay social security, provide workmen's compensation, and may be liable for some negligent acts of the salesperson while on the job. All of this is avoided by the broker if salesperson is an independent contractor.  
[www.ashcroftescrow.com/P1P.cfm](http://www.ashcroftescrow.com/P1P.cfm)
- An independent contractor relationship exists when the University has the right to control only the result of the service, not the manner of performance. Service is useful labor performed for another that may or may not produce a tangible commodity. Service includes, but is not limited to:  
[www.matmpt.ucsf.edu/ICA\\_Definitions.htm](http://www.matmpt.ucsf.edu/ICA_Definitions.htm)
- One who is retained to perform a certain act, but is subject to the control and direction of another, only as to the end result, and not as to the way they performs the act. This person normally sets their own working hours, pays their own expenses, receives no employee benefits, and pays for their own social security and income tax to the government, but not as a withholding from their paycheck. The majority of real estate salespeople work as independent contractors.  
[www.ronaynelearn.com/Resources/Glossary.htm](http://www.ronaynelearn.com/Resources/Glossary.htm)
- Both parties acknowledges that NPII is an independent contractor; that it alone retains control of the manner of conducting its activities in furtherance of this Agreement; that it as well as any persons or agents as it may employ are not employees of You; and that neither this Agreement, nor the administration thereof, shall operate to render or deem either party hereto the agent or employee of the other. ...  
[www.naturalproducts-insider.com/ibg/terms.asp](http://www.naturalproducts-insider.com/ibg/terms.asp)
- A person who is not employed by a company but does work for it.  
[www.caltia.com/education/terms.html](http://www.caltia.com/education/terms.html)
- an individual who is hired to complete a specific project but who is free to do that work as he or she wishes; it is not based on how the person is paid, how often the person is paid, or whether the person works part-time or full-time. An independent contractor is not an employee; thus, he or she cannot sue an employer for

a wrongful act or injury suffered on the job. The independent contractor will receive a 1099 form.  
[www.jaamtonline.com/pl/re/jaam/fulltext/01179370-200506000-00010.htm](http://www.jaamtonline.com/pl/re/jaam/fulltext/01179370-200506000-00010.htm)

- Vendor and Vendor's Staff are independent contractors and not employees of Legacy. Vendor's Staff are not eligible for and may not participate in any Legacy benefit and retirement plan or leave program. Vendor's Staff are not covered by Legacy's workers' compensation insurance. ...  
[www.legacyhealth.org/body.cfm](http://www.legacyhealth.org/body.cfm)
- An independent contractor is someone who performs a job for another, but is free from the control of the other regarding the details of the work to be done.  
[www.samakowlaw.com/articles7.html](http://www.samakowlaw.com/articles7.html)
- A taxpayer who contracts to do work according to his own methods and who is not subject to control except as to the results of such work. An employee, by contrast, is subject to the control of the employer as to the methods to be used to obtain the desired results.  
[www.bookkeeperlist.com/definitions1.shtml](http://www.bookkeeperlist.com/definitions1.shtml)
- A person who works for him-, or herself in a governmental or private capacity.  
[wps.prenhall.com/chet\\_nathe\\_dental\\_2/0,9128,1352887-content,00.html](http://wps.prenhall.com/chet_nathe_dental_2/0,9128,1352887-content,00.html)
- A contractor who is self-employed.  
[www.mtgmortgages.com/glossary1.htm](http://www.mtgmortgages.com/glossary1.htm)
- A person who is hired by a company, but works for himself/herself. The company is a client, rather than an employer.  
[www.marketconscious.com/dict2.htm](http://www.marketconscious.com/dict2.htm)
- Person who agrees with a party to undertake the performance of a task for which the person is not expected to be under the direct supervision or control of the party. Ordinarily this arrangement and relationship shields the party from liability for negligent acts of the independent contractor that occurred during the performance of the work. For example, a medical consultant is an independent contractor for whose negligent acts the attending doctor is not liable.  
[www5.aaos.org/oko/vb/online\\_pubs/professional\\_liability/glossary.cfm](http://www5.aaos.org/oko/vb/online_pubs/professional_liability/glossary.cfm)
- A person who acts for another but who sells final results and whose methods of achieving those results are not subject to the control of another.  
[www.sanderco.com/Glossary%20Pages/1.htm](http://www.sanderco.com/Glossary%20Pages/1.htm)
- means an individual contractor or an employee of a contractor who provides personal services and who is not an employee of the state of Michigan.  
[www.state.mi.us/mdcs/Rules2002/crule9.htm](http://www.state.mi.us/mdcs/Rules2002/crule9.htm)
- One who is hired to do a particular job and is subject to the direction of the person in charge. Independent contractors pay for their own expenses and taxes and are not viewed as employees with benefits.  
[www.peakagents.ca/glossary/i3.htm](http://www.peakagents.ca/glossary/i3.htm)
- An independent contractor is a person or business which provides goods or services to another entity under terms specified in a contract. Unlike an employee, an independent contractor does not work regularly for a company.  
[en.wikipedia.org/wiki/Independent\\_contractor](http://en.wikipedia.org/wiki/Independent_contractor)

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There are other groups  
~~ever~~ Exempt From  
Workers Comp and  
aren't required to  
have Workers Comp

MAJORITY of holders  
smart people who understand  
the business — incl. investors

5  
Talking Points – House Labor and Commerce Committee 2/27/06  
HB 409 – Exempt Worker's Comp. or Realtors

1. Disclose that you're licensed to sell real estate in Alaska

This is a bill that exempts real estate agents in Alaska from worker's comp.

Worker's compensation is the means through which injured workers are compensated for injuries sustained on the job or as a result of their job. Every state and the federal government have laws that require most companies to purchase worker's compensation insurance for their employees. However, most of the real estate agents in Alaska are considered *independent contractors, not employees.*

These "Qualified real estate licensee's":

1. Typically sign an "independent contractor agreement" with the broker and pay for their own services;
2. They don't receive a wage, salary or benefits
3. They receive payment for services directly related to their sales or other output rather than the hours work
4. When they do receive payment for their services, they are required to pay estimated quarterly income tax; pay their own social security taxes AND that portion of the social security tax an employer would normally pay for an employee.
5. They pay for all their business expenses. This would include licensing fees, continuing education classes, advertising, mailings, office equipment and supplies; long-distance telephone calls; design and implementation of a personal website – in short – EVERYTHING. They are a business within a business.
6. The broker has no control over the hours spent or how the licensee conducts his business as long as it's within the boundaries of the law.
7. The IRS considers qualified real estate licensees as "independent contractors"

Supported by Dept Labor & Workforce  
O'Leary  
Realtors not