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ATTORNEY GENERAL

State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804-9005

MAR 19 2002

OPINION 02-0097

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Honorable Mike Smith
Senator
P. O. Box 1382
Winnfield, LA 71483

78 DUAL OFFICEHOLDING
R.S. 42:62(4) and (5)
Commissioner of the Sabine River authority may continue to be
employed as a teacher without violation of state law.

Dear Senator Smith:

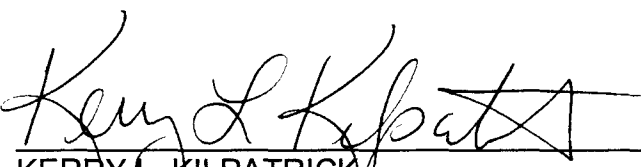
You have asked this office to determine whether one may serve as board member of the Sabine River Authority and continue to teach school.

The Dual Officeholding and Dual Employment Laws do not prohibit this arrangement, where one of the positions is held on a part-time basis. The law prohibits the simultaneous holding of these positions if both are full-time. See R.S. 42:63(E). Members of the Sabine River Authority hold part-time appointive offices¹, thus, the prohibition is inapplicable.

Should you have further questions, please contact this office.

Very truly yours,

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY: 
KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

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¹ R.S. 42:62(4) and (5) define full-time and part-time as:

"Full-time" means the period of time which a person normally works or is expected to work in an appointive office or employment and which is at least seven hours per day of work and at least thirty-five hours per week of work.

"Part-time" means the period of time which a person normally works or is expected to work in an appointive office or employment which is less than the number of hours of work defined in this Section as full time.