

ALASKA CONSTITUTIONAL CONVENTION

PART 3

Proceedings: January 10 - 16, 1956

Alaska Legislative Council

Box 2199 — Juneau, Alaska

signify by saying "aye", all opposed by saying "no". The "ayes" have it and the proposed amendment is ordered adopted. Are there amendments to Section 14? Mr. Barr.

BARR: Mr. President, I have an amendment to insert after Section 13. It is on the Secretary's desk.

PRESIDENT EGAN: Between Section 13 and Section 14?

BARR: Yes, it will be a new Section 14.

PRESIDENT EGAN: The Chief Clerk may read the proposed amendment.

CHIEF CLERK: "Page 6, line 16, after Section 13, insert a new Section 14, and renumber the following sections accordingly: "An Attorney General shall be elected at the same time and in the same manner as the Governor, and his term of office shall be four years. He shall be the chief law officer of the State, shall represent the State in all courts of law, and shall see that all laws are uniformly and adequately enforced throughout the State. He shall be legal advisor to the Legislature and all State officers, and shall perform such other duties as may be prescribed by law. He shall be responsible to the Governor and the Legislature for the faithful performance of his duties. The Attorney General shall receive for his services a compensation fixed by the Legislature which shall not be increased or diminished during his term of office. He shall devote his full time to his office and shall not receive any salary, fees or other compensation from any other source. In case of vacancy in the office of Attorney General for any cause, the Governor shall appoint his successor to complete the term of office with the consent of a majority of both Houses of the Legislature in joint session assembled, or, when not in session, a poll of the members may be taken by mail by the President of the Senate and Speaker of the House."

PRESIDENT EGAN: What is your pleasure, Mr. Barr?

BARR: I move the adoption of this amendment.

PRESIDENT EGAN: Mr. Barr moves the adoption of the amendment. Is there a second to the motion?

KNIGHT: I'll second the motion.

PRESIDENT EGAN: Mr. Knight seconds the motion. The amendment is open for discussion. Mr. Barr.

BARR: Mr. President, as this is rather a long amendment --

PRESIDENT FGAN: The Chair would like to make an announcement at this time, before you proceed, Mr. Barr. The News Miner just called and Guy Rivers, brother of Vic and Ralph, was found alive and safe about 30 minutes ago. (Applause) He has been picked up and is now on his way back to Fairbanks. Mr. Barr.

BARR: I have had placed on all the delegates' desks a mimeographed copy of the text of this amendment. It is not the complete amendment showing the lines and paragraph, it is merely the text. It provides for the election of the attorney general, that is the gist of it. He shall be elected at the same time and manner as the governor. He shall be legal adviser to the legislature and all state officers, and shall perform such other duties as may be prescribed by law. It outlines his duties and it provides for his replacement in case there is a vacancy. Now, in presenting this amendment, I do not go against the thought of the Executive Committee in that we should have a strong executive. Some people will think so. I went along with their committee report and I still do not disagree with it; however, the reason I decided finally to put this amendment in was the fact that I met innumerable people, speaking to them privately, who thought that the attorney general should be elected. In fact, they stated it in broader terms, they said they would like to elect more officials than the state governor. None of them stated that they wanted to elect as many as we have now, that they wanted to reduce the governor's power, but they thought they should elect enough so that they felt they had a hand in the government themselves. I felt that if another official should be elected, it should be the attorney general. Why the attorney general? Because all these other department heads are there expressly to carry out the governor's program and should agree with him in every detail on his policy. That makes up a good working team. The attorney general also should work with the governor, he is the governor's legal counsel and the legislature's legal counsel and also counsel for all the department heads, but he has one other duty that does not quite conform to the usual idea of a department head's duty under administration and that is, he is called upon to interpret the law at times. That is a semijudiciary function, I would call it, although it's not final. It is a temporary decision and may be taken into the courts. In interpreting the law, he should be impartial. Many times, of course, the governor might ask him to interpret the law to be sure that he is on the right ground when he proposes something. In case we had a governor who wanted to bulldoze something through anyhow, if it were a little bit questionable, the attorney general might feel that he was obligated to the governor if he were appointed and his opinion might be biased a little bit. I wouldn't say that he would flout the law, but he could be biased a little bit to either one side or the other.

And even if he were entirely honest and tried to render an impartial decision, I'm afraid his conscience would hurt him a little bit because he was obligated to the governor and went against the governor's wishes, so to remove him from that embarrassing position, I think that he should be elected. Now I grant you in electing any man we cannot be sure that we will get a good man, and on the other hand, by appointment we cannot insure that we will get a good man, but I believe that if we are going to elect another official because the people want it, then it should be the attorney general.

PRESIDENT EGAN: Any further discussion? Mr. Marston.

MARSTON: Mr. President, if my recollection is right, in the past 14 years that I have definite recollection of, there have been only two attorney generals and the reason is that they just can't get attorneys to run for that job. I'd want to know that there are attorneys that will step up and lend themselves to be elected to that job before we pass on this. I have no argument with the mover of this amendment, Mr. Barr, except that is information that I would like to have. Maybe we have some lawyers here that could enlighten me on that.

PRESIDENT EGAN: Mr. Hellenenthal.

HELLENTHAL: Mr. President, I think I could answer that. All the lawyers that favor the amendment will probably stand up, and those who don't will sit down. (Laughter)

PRESIDENT EGAN: The Convention will come to order. Is there further discussion of the proposed amendment? Mr. Nolan.

NOLAN: Mr. President, at a meeting that I had, I think there were 12 people there on an hour and a half's notice, that was the one thing they were unanimous on. They wanted the attorney general elected by the people. They seem to think it was the one independent arm that they would have, and for that reason they were unanimous that the attorney general should be elected, and therefore I think I will support Mr. Barr's amendment.

PRESIDENT EGAN: Mr. McLaughlin.

McLAUGHLIN: Mr. President, I voted against the governor and secretary of state as co-runners on the belief that we had merely one elective office in the executive arm and that would suffice, because my other voting had been predicated, and other proposals had been predicated, on that belief we were going to have a strong executive. This is merely the introduction to other offices. I notice we have a Delegate Proposal No. 45 submitted by Mr. Barr, and we have a Delegate Proposal No. 44 also,

providing for the election of a commissioner of labor. If we yield ground in one respect, we might as well elect our commissioner of welfare, our commissioner of education, and having provided those, I feel that we should go right down the list and completely dissipate the theory upon which the voting has taken place. It was with reluctance that I even voted in favor of the secretary of state as a co-runner for the governor. I am violently opposed to the election of the attorney general. I don't think the election of him accomplishes any purpose. The blunt fact is that there is a general misconception as to the function of the attorney general. The attorney general is a lawyer and his opinion is the equivalent of any other lawyer's. It can be attacked. Any recommendation he makes, if acted upon, can always be attacked in the courts by private citizens. His opinion is worth the paper it is written upon. It's impressive upon the state and the officials are bound by it until some irate taxpayer attacks it and the actions taken under the authority of it, and the courts can promptly overrule it. There is a misconception about the function of the attorney general, his functions are not quasi-judicial. He is another attorney giving an opinion, and if you could assure yourselves that he would have the wisdom of a deus, those lawyers don't exist in Alaska as it has been evidenced by the variety of opinions expressed here before this body. I do oppose it, I think if we are going to have an attorney general, the power should be vested in the governor to appoint him, and that is without any screening by any judicial council or anything of the sort. If you're going to elect him, elect him, but by and large if you're creating a strong executive, then give him the power to appoint his own attorney general. The discrepancy has been pointed out in New York under the series, Governors and Administration of New York, which is put out under the American Commonwealth Series, it's pointed out that because of the fact that the attorney general is an elective office under the constitution, that is, the governor, in substance, has to rely on a legislative act passed in 1900 authorizing him to have private counsel. You're putting a diverse and possibly a discordant element into the executive branch. It isn't necessary. The courts can protect the government from the opinions of an attorney general appointed by the governor, and that attorney general does, in a sense, bear the same relationship to the governor as any attorney bears to his private client. It is an attorney-client relationship and the relationship has to be based on faith and personal selection. I would strongly recommend that there be no other elective offices in the state.

PRESIDENT EGAN: Mr. Barr.

BARR: Mr. President, may I be allowed to close?

PRESIDENT EGAN: If there is no other person who wishes to be heard. Mr. Stewart.

STEWART: Mr. President, may I ask Mr. McLaughlin a question?

PRESIDENT EGAN: You may, Mr. Stewart.

STEWART: Is it your idea that the attorney general, as such, he is or should act as the counsel for the legislature, as well as for the executive?

McLAUGHLIN: He should, in substance, act as counsel for the legislature. In many respects, you also have the unusual circumstance where the attorney general is of one party and the legislature is predominantly of another party.

STEWART: He may have to give decisions in one case that might favor the executive and in another case might favor the legislature?

McLAUGHLIN: That's right.

STEWART: I think that is an unwholesome situation, and should be corrected by having the attorney general purely and simply the adviser for the executive.

PRESIDENT EGAN: Mr. Ralph Rivers.

R. RIVERS: Mr. President, this has developed to the point where I want to say a few words. I wasn't going to, but when I was attorney general, that office was legislative counsel for the legislature, advised the members of the legislature, advised the various administrative departments under the governor, and advised the governor, and wrote legal opinions interpreting the law. Since that time the legislature has created a Legislative Council, that Legislative Council has a political scientist in charge, Jack McKay. It could very well have a lawyer and is authorized to engage any legal services that may be required. The legislature has full power to hire all the legal assistance it needs during the sessions so that I believe that Mr. Stewart's thought is well taken, that the attorney general will be the attorney for the executive arm of the government and that if we have the governor appoint an attorney general, he is not going to be the adviser to the legislature nor the drafter of legislative bills. Now, he may draft proposed legislation for the administrative departments. If the department of health wants a bill, the governor will tell the attorney general to get out a good bill or the commissioner of health, or as the case may be. They'll fall back on the attorney general for some bill drafting

for the governmental departments, but the legislature from now on and under this setup, is not going to have the attorney general doing its bill drafting. It's going to have its own legal counsel. The present Attorney General, because of the press of business, gave up being legislative counsel for the legislature three years ago and told them they were too busy and were just looking after the executive department, and that they were to figure out how to get their own bills drafted. Two years ago that situation got so acute that the Legislative Council was created and it serves a very useful need, but I think that Mr. McLaughlin actually emphasized the wrong answer when he said that the attorney general would be the counsel for the legislature as well as for the executive arm, because under the present development with Legislative Council, he will be the attorney for the executive branch and the legislature can take care of itself. I might also say that I wrestled with this, I started out advocating that the attorney general be elected, but I wrestled with it, I told Mr. Barr that I felt the way he did four or five days ago. Because of my doubts though, I have talked to many people, they have said if you are going to let the governor's administration be held responsible for the conduct of that administration, you have got to at least give the governor an attorney of his own choice. Under this setup he might get an attorney of the opposite political faith. He might get one of his own party who is either inadequate or who is hostile to him, or who doesn't see eye-to-eye with him. In either case, the governor could say at the end of his term, if things haven't gone well, "We had a good program but that attorney general you foisted upon me wrecked our program." There again, you have got passing the buck as to who was to blame because things didn't go well. Now then, if we want to be sure that the strong executive who is going to have the responsibility of carrying out a successful administration is going to get the blame if he doesn't have a successful administration, let us not give him any outs. Let's not take him off the hook by giving him an attorney general that he can put the blame on.

PRESIDENT EGAN: Mr. Robertson.

ROBERTSON: Mr. President, I don't intend being an applicant for the position of attorney general either by appointment or election, but I don't quite see Delegate Marston's point that there are no attorneys in the Territory who are willing to run to be elected attorney general. I can't see how there would be any attorneys who would be willing to accept the appointment. I support Mr. Barr's position in this matter. I, too, am in favor of a strong executive, but I don't think that the mere fact that because under the appointive system of governorships that the governor virtually has no powers, that we should let that carry

us too far away. I think that it is a good thing for the people, to have their own elected attorney general who can check the legislation which the governor proposes to introduce and have introduced, and for that reason I am going to vote for this amendment.

BARR: Mr. President, may I close now?

PRESIDENT EGAN: You may, Mr. Barr.

BARR: I was also going to answer Colonel Marston much as Mr. Robertson did. If lawyers aren't available, they aren't available period. Mr. Rivers was talking about an entirely different thing. He mentioned our present Legislative Council. There is not a lawyer in charge. They do draft bills for the legislature. They have taken over a duty which the attorney general formerly did, that is as it should be. There is a lot of detailed work there, but it isn't legal work. If the legislature wants to ask a legal opinion, they will not go to our political science experts, they will go to the attorney general. Now he also stated that if an attorney general of the opposite political party were elected, the governor could pass the buck and say, "Well, you people see what you saddled me with here. I couldn't do anything. He wouldn't let me." Well, if there was an attorney general of the opposite political party there, he would make the governor toe the line pretty well as far as the law was concerned. All the governor could say to the people is, "You see that attorney general, he made me conform with the law." That's all this is designed to do. It isn't supposed to restrict his actions otherwise, just to conform with the law. Now, as Mr. McLaughlin said, because he was the legal counsel for the governor period, that this would not accomplish any particular purpose. It will accomplish several purposes. It is up to you people to decide how important they are. It might provide a little brake on the governor if he wants to go too far. If he wants to over-step the law just a little bit, but the principal purpose it has, the principal objective it will achieve is that it will allow the people to have more hand in the government and that is what we want.

PRESIDENT EGAN: Mr. Hellenenthal.

HELLENTHAL: I request a roll call on this vote and will raise my hand to indicate that request. Under these rules, 10 people have to --

PRESIDENT EGAN: No, that rule failed of passage.

HELLENTHAL: Oh, I see.

PRESIDENT EGAN: The question is, "Shall the proposed amendment as offered by Mr. Barr be adopted by the Convention?" The Chief Clerk will call the roll.

(The Chief Clerk called the roll with the following result:

Yeas: 12 - Barr, Collins, H. Fischer, Laws, McNealy, Metcalf, Nolan, Robertson, Smith, Sweeney, Taylor, Walsh.

Nays: 40 - Armstrong, Awes, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, White, Mr. President.

Absent: 3 - Coghill, VanderLeest, Wien.)

CHIEF CLERK: 12 yeas, 40 nays, and 3 absent.

PRESIDENT EGAN: So the "nays" have it and the proposed amendment has failed of adoption. Mr. Barr.

BARR: Mr. President, I had another amendment which I had intended introducing providing for the election of a commissioner of labor. I would just like to state that the reason for that was that without destroying the powers of a strong executive, I thought the people would like to have a number of officials elected someplace between the number of two and four, but I can see that this body does not believe that that should be done.

MCCUTCHEON: Point of order, Mr. President.

PRESIDENT EGAN: Your point of order, Mr. McCutcheon.

MCCUTCHEON: Isn't Mr. Barr speaking to a matter of personal privilege?

PRESIDENT EGAN: Do you ask to speak on a matter of personal privilege, Mr. Barr?

BARR: Yes, I will, if the tape is left on.

HURLEY: I'll move that Mr. Barr be allowed to speak on a matter of personal privilege.

PRESIDENT EGAN: If there is no objection, the rules will be suspended and Mr. Barr may have the floor on personal privilege.

BARR: I want to explain that since it is very clearly the intention of this body to have two elected officials, there is no point in me introducing this other amendment and holding up proceedings. I never intend to hold up proceedings at all. I realize the shortness of time here, so I will not introduce that amendment at this time, although in my own heart, I believe that we should have an attorney general and commissioner of labor elected.

PRESIDENT EGAN: Mr. Sundborg.

SUNDBORG: Mr. President, I believe this would be an appropriate place to bring up the matter which has been bothering our Committee on Style and Drafting, if I may have the floor on that matter.

PRESIDENT EGAN: Yes, if there is no objection, you may have the floor.

SUNDBORG: I would like to know if we are creating anywhere in this constitution the office of the attorney general? And I ask it because in our article on direct legislation there is a provision that petitions for referendum and recall and the like, shall be filed with the attorney general who shall certify it to its sufficiency as to form, etc. Since we have not created that office, and I don't believe we should do it by indirection by assigning duties to the man whose office has not been created, I would like to be recognized at the end of this statement under the item of personal privilege, to make a motion and the motion would be that the rules be suspended and the Committee on Style and Drafting be instructed to make a substantive amendment in the article on direct legislation to provide that wherever the words "attorney general" appear, that they be changed to "secretary of state". I wonder if all of you recognize what the problem is. I think we have now agreed that in the executive department we are going to have one other officer at least, besides the governor. He will be called the secretary of state. I wonder if all of you recognize what the problem is. I think we have now agreed that in the executive department we are going to have one other officer at least besides the governor. He will be called the secretary of state. It occurred to us in Style and Drafting that it would be entirely proper that the secretary of state should be the officer of the state with whom petitions under the initiative and under the referendum should be filed, that if he required legal services in order to satisfy himself that they were sufficient as to form, etc., he could get them from whatever officer of the state might be provided by

legislation or otherwise for that purpose, but I think we are probably being inconsistent and maybe we are making a mistake if we set up duties for an official called the "attorney general" and don't set up the office itself in the constitution.

PRESIDENT EGAN: Mr. Barr.

BARR: Mr. President, believing as Mr. Sundborg does --

V. RIVERS: Point of order, Mr. President.

PRESIDENT EGAN: Your point of order, Mr. Rivers.

V. RIVERS: Mr. Sundborg was talking under personal privilege.

BARR: Excuse me.

SUNDBORG: I will now, Mr. President, I am at the end of my statement under personal privilege, am I recognized to make a motion?

PRESIDENT EGAN: You are, if there is no objection, Mr. Sundborg.

V. RIVERS: I object. I wish to make a statement first.

PRESIDENT EGAN: Mr. Victor Rivers.

V. RIVERS: Under personal privilege, there was a minority group in the Committee who felt that the attorney general should be mentioned in the executive article and that rather than have any individual who had obligations to repay to the governor or had favors to receive from the governor by reason of political support, that he should have a certain amount of screening, he should not be limited to one individual. Now I have an amendment available as we get to the end of Section 14 which would cover that, if the body so decides to adopt it, or if the desire to wipe out the screening principle, it still would cover the appointive attorney general and the method by which he might or might not be removed from office. The present executive article is identical in the matter of not mentioning the attorney general, it is identical with the State of Hawaii Constitution in that they also did not set up an attorney general specifically, they allowed the departments to be established as we have done here, but in order to carry out the consistency in connection with the fact that we have mentioned certain duties of the attorney general, we have got prepared, or Mr. Harris and I have prepared here an amendment for discussion covering that point.

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTIETH CONVENTION DAY, Wednesday, January 11, 1956

The Convention was called to order by President Egan at 9:00 a.m.

The Invocation was given by Reverend James Gamble of the Pentacostal Holiness Church.

Roll call showed all present except Mr. VanderLeest, who was absent because of illness.

The President declared a quorum present.

Mrs. Sweeney suggested that the delegates wait and arise after the full introduction of the minister giving the Invocation. The President asked the delegates to keep the suggestion in mind.

Mr. Doogan asked unanimous consent for the approval of the Journal of the 45th day, with the following correction: page 4, after the words "After Recess", insert the following paragraph: "Mr. Hellenthal asked unanimous consent to withdraw his amendment. There being no objection it was so ordered."

The President referred Committee Proposal No. 7 to the Committee on Engrossment and Enrollment since the reconsideration votes had not been called the previous Convention day.

Mrs. Hermann submitted the report of the Nome hearings which would be placed on file.

President Egan called for amendments to Committee Proposal No. 5, Section 15.

Mr. Sundborg moved and asked unanimous consent for the adoption of the following amendment to Section 15, page 5: strike all of line 21 and the first two words on line 22 and insert in lieu thereof the words "although vetoed". Strike all of lines 24 and 25 on page 5; lines 1, 2 and 3 on page 6 and the word "entitled" on line 4 of page 6. Seconded by Mr. Kilcher.

After discussion by Mr. Sundborg, Mr. White, Mr. McCutcheon and Mr. V. Rivers, the President called for the question. The question being "Shall the proposed amendment as offered by Mr. Sundborg be adopted?", on voice vote the amendment failed.

50th Day, Wednesday, Jan. 11, 1956

Yeas: 11 - Coghill, Cross, V. Fischer, Hermann, Hinckel, McNealy, Nolan, R. Rivers, V. Rivers, Taylor, Mr. President

Nays: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien

Absent: 2 - Hilscher, VanderLeest

and so the amendment failed.

Mr. V. Rivers rose to speak on a matter of personal privilege.

Mr. V. Rivers asked unanimous consent to revert to the introduction of Committee reports. There being no objection, it was so ordered.

Mr. V. Rivers presented the following report of the Executive Committee:

"The Committee on the Executive Branch met on January 10 to consider Delegate Proposal No. 44, which would provide for the election of the Commissioner of Labor, and Delegate Proposal No. 46 which would provide for the election of the Attorney General. The Committee members in attendance at the meeting voted as follows on these proposals:

Delegate Proposal 44:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, Nordale, and
V. Rivers

Delegate Proposal 46:

Do Pass: Delegate Barr
Do Not Pass: Delegates Boswell,
Harris, and Nordale

No Recommendation: Delegate V. Rivers

The report was ordered filed.

Mr. Barr asked what becomes of the proposals referred to in the report.

The President stated that the Committee had rejected the proposals.

Mr. Barr stated he believed that the Convention should have some right to express itself on these proposals.

The President advised that because of the nature of the report he could only order that it be filed.

Mr. Riley stated that Mr. Barr was not foreclosed from offering amendments to Committee Proposals at the proper time, using the proposals rejected by the Committee.

The President agreed with the Chairman of the Rules Committee and advised Mr. Barr that it would be proposed to offer amendments at the time the Committee Proposals were considered.

Mr. Sundborg moved the adoption of the following amendment:

Section 3, page 1, line 17, delete "fourth" and insert "first"; line 18, delete "January, unless otherwise provided by law" and insert "December". Mr. V. Fischer seconded. After discussion by Mr. Sundborg, Mr. Peratovich, Mr. R. Rivers, Mr. Hellenthal, Mr. White, Mr. Davis, Mr. Hinckel, Mr. McCutcheon and Mr. Johnson the question was called. On voice vote the amendment failed.

Mr. Riley requested a two-minute recess. There being no objection, it was so ordered.

Mr. Emberg moved the adoption of the following amendment: Section 5, line 8, delete word "hold" and substitute "be nominated, elected, or appointed to". Mr. White seconded. On voice vote the amendment was ordered adopted.

Mr. Hurley moved the adoption of the following amendment: Section 5, page 2, strike the second sentence. Mr. McCutcheon rose to a point of order that the amendment had already been considered. Mr. Sundborg seconded and stated that this matter had not been considered previously. Mr. Hurley spoke on the amendment. Mr. McNeas asked for a ruling of the chair on the point of order.

The President stated that he believed Mr. McCutcheon withdrew his point of order when he discussed it with Mr. Sundborg.

After Mr. Riley and Mr. McCutcheon spoke, Mr. Taylor moved to amend the amendment by striking the last sentence in Section 5. Mr. Sundborg objected. Mr. McNealy seconded. After Mr. Sundborg and Mr. Riley spoke, Mr. Taylor asked unanimous consent to withdraw his amendment to the

Constitutional Convention
Delegate Proposal/45
Referred to the Committee
on the Executive Branch
and to the Committee on
the Judiciary
January 9, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

DELEGATE PROPOSAL NO. 45

Introduced by Frank Barr

OFFICE OF THE ATTORNEY GENERAL

RESOLVED, that the following be agreed upon

as part of the Alaska State Constitution:

1 Section 1. An Attorney General shall be elected at
2 the same time and in the same manner as the Governor, and
3 his term of office shall be four years. He shall be the
4 chief law officer of the State, shall represent the State
5 in all courts of law, and shall see that all laws are uni-
6 formly and adequately enforced throughout the State.

7 Section 2. He shall be legal advisor to the Legislature
8 and all State officers, and shall perform such other duties
9 as may be prescribed by law. He shall be responsible to the
10 Governor and the Legislature for the faithful performance
11 of his duties.

12 Section 3. The Attorney General shall receive for his
13 services a compensation fixed by the Legislature which shall
14 not be increased or diminished during his term of office. He
15 shall devote his full time to his office and shall not re-
16 ceive any salary, fees or other compensation from any other
17 source.

1 Section 4. In case of vacancy in the office of Attorney
2 General for any cause, the Governor shall appoint his
3 successor to complete the term of office with the consent
4 of a majority of both Houses of the Legislature in joint
5 session assembled, or, when not in session, a poll of the
6 members may be taken by mail by the President of the Senate
7 and Speaker of the House.

REPORT OF THE COMMITTEE ON EXECUTIVE BRANCH ON DELEGATE
PROPOSALS 44, 45, and 46.

There is no copy of this report in the files. The Journal of January 11, 1956, shows the following as the report:

"The Committee on the Executive Branch met on January 10 to consider Delegate Proposal No. 44, which would provide for the election of the Commissioner of Labor, and Delegate Proposal No. 46, which would provide for the election of the Attorney General. The Committee members in attendance at the meeting voted as follows on these proposals:

Delegate Proposal 44:

Do Pass:	Delegate Barr
Do Not Pass:	Delegates Boswell, Harris, Nordale, and V. Rivers

Delegate Proposal 46:

Do Pass:	Delegate Barr
Do Not Pass:	Delegates Boswell, Harris, and Nordale
No Recommendation:	Delegate V. Rivers"

[The two proposals are No. 44 and No. 45, and not No. 46.]