

**SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 5(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/25/95  
Referred: Finance

Sponsor(s): REPRESENTATIVES THERRIAULT, Rokeberg, Porter, Green, Bunde, Toohey, Parnell, Kohring

SENATORS Green, Kelly, Leman, Halford

**A RESOLUTION**

1 **Proposing amendments to the Constitution of the State of Alaska relating to**  
2 **tenure limits for certain officers of the state and subdivisions of the state.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

5 SECTION 3. ELECTION AND TERMS. **(a)** Legislators shall be elected at  
6 general elections. Their terms begin on the fourth Monday of the January following  
7 election unless otherwise provided by law. The term of representatives shall be two  
8 years, and the term of senators, four years. One-half of the senators shall be elected  
9 every two years. **A person may not serve consecutively during more than twelve**  
10 **regular sessions in the legislature. Thereafter, the person may not again serve in**  
11 **the legislature as a result of election or appointment to fill a vacancy until at least**  
12 **three consecutive full regular sessions have elapsed during which the person has**  
13 **not served.**

14 \* **Sec. 2.** Article II, sec. 3, Constitution of the State of Alaska, is amended by adding new  
15 subsections to read:

16 (b) For purposes of applying the tenure limit under (a) of this section, periods

1 served in the legislature during the interim between sessions or during special sessions  
2 shall not be considered.

3 (c) Notwithstanding (a) of this section, a person may complete a new term to  
4 which elected if the person has served during no more than eleven consecutive regular  
5 sessions in the legislature immediately before the beginning of the new term.

6 \* **Sec. 3.** Article IV, sec. 6, Constitution of the State of Alaska, is amended to read:

7 SECTION 6. **TENURE** [APPROVAL OR REJECTION]. (a) Each supreme  
8 court justice and superior court judge shall, in the manner provided by law, be subject  
9 to approval or rejection on a nonpartisan ballot at the first general election held more  
10 than three years after his appointment. **Each** [THEREAFTER, EACH] supreme court  
11 justice [SHALL BE SUBJECT TO APPROVAL OR REJECTION IN A LIKE  
12 MANNER EVERY TENTH YEAR,] and each superior court judge **who is approved**  
13 **for retention in office serves for an additional six years beginning on the date the**  
14 **election is certified. At the general election held during the last year of the first six-**  
15 **year retention period, each justice and judge shall again be subject to approval or**  
16 **rejection. Each justice and judge who is approved for retention serves for an**  
17 **additional six years. Thereafter, the justice or judge may not again serve in that**  
18 **same office until at least three consecutive full years have elapsed during which that**  
19 **person has not served in that office** [, EVERY SIXTH YEAR].

20 \* **Sec. 4.** Article IV, sec. 6, Constitution of the State of Alaska, is amended by adding a new  
21 subsection to read:

22 (b) A magistrate or other judge who is not subject to (a) of this section may not  
23 serve consecutively more than fifteen full years in the same office of the judicial branch.  
24 Thereafter, the person may not again serve in the same judicial office until at least three  
25 consecutive full calendar years have elapsed during which the person has not served.

26 \* **Sec. 5.** Article V, Constitution of the State of Alaska, is amended by adding a new section  
27 to read:

28 SECTION 6. **TENURE FOR ELECTED OFFICIALS.** (a) A person may not  
29 serve consecutively during more than twelve calendar years in the same elected office  
30 of the State or a subdivision of the State. Thereafter, the person may not again serve in  
31 that same office as a result of election or appointment to fill a vacancy until at least three  
32 consecutive full calendar years have elapsed during which the person has not served.

1 This section does not apply to the offices of governor, lieutenant governor, state  
2 legislator, supreme court justice or judge in the judicial branch, or United States senator  
3 or representative.

4 (b) A city or borough may, by ordinance, adopt tenure limits for its elected  
5 officials that are in addition to those provided for under (a) of this section.

6 \* **Sec. 6.** Article XV, Constitution of the State of Alaska, is amended by adding a new  
7 section to read:

8 SECTION 29. APPLICATION OF 1996 TENURE LIMIT AMENDMENT. (a)  
9 The tenure limit added by the 1996 amendment to Section 3 of Article II applies upon  
10 the convening of the first Regular session of the Twenty-Second Alaska State Legislature  
11 and thereafter. Regular sessions served in the legislature before the convening of the  
12 First Regular Session of the Twenty-Second Alaska State Legislature apply for purposes  
13 of calculating the tenure limit.

14 (b) Notwithstanding the tenure limits added by the 1996 amendments to Section  
15 6 of Article IV and to Section 6 of Article V, a person in office or who has been elected  
16 or appointed to office before the effective date of the amendments may complete the  
17 term.

18 \* **Sec. 7.** The amendments proposed by this resolution shall be placed before the voters of  
19 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State  
20 of Alaska, and the election laws of the state.