

**SENATE JOINT RESOLUTION NO. 26**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION

**BY SENATOR GREEN**

**Introduced: 4/20/95**

**Referred: STA, JUD, FIN**

**A RESOLUTION**

1 **Proposing amendments to the Constitution of the State of Alaska relating to the**  
2 **election and the duties of the attorney general.**

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

4 \* **Section 1.** Article III, sec. 23, Constitution of the State of Alaska, is amended to read:

5 SECTION 23. REORGANIZATION. **(a) Except as provided in (b) of this**  
6 **section, the** [THE] governor may make changes in the organization of the executive  
7 branch or in the assignment of functions among its units which he considers necessary  
8 for efficient administration. Where these changes require the force of law, they shall  
9 be set forth in executive orders. The legislature shall have sixty days of a regular  
10 session, or a full session if of shorter duration, to disapprove these executive orders.  
11 Unless disapproved by resolution concurred in by a majority of the members in joint  
12 session, these orders become effective at a date thereafter to be designated by the  
13 governor.

14 \* **Sec. 2.** Article III, sec. 23, Constitution of the State of Alaska, is amended by adding a  
15 new subsection to read:

16 (b) The governor may not make a change in the organization or function of

1 a unit of the executive branch that is headed by the attorney general.

2 \* **Sec. 3.** Article III, sec. 24, Constitution of the State of Alaska, is amended to read:

3 SECTION 24. SUPERVISION. **Except for the unit of the executive branch**  
4 **that is headed by the attorney general, each** [EACH] principal department shall be  
5 under the supervision of the governor.

6 \* **Sec. 4.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:

7 SECTION 25. DEPARTMENT HEADS. The head of each principal  
8 department shall be a single executive unless otherwise provided by law. **The head**  
9 **of a principal department** [HE] shall be appointed by the governor, subject to  
10 confirmation by a majority of the members of the legislature in joint session, and shall  
11 serve at the pleasure of the governor, except as otherwise provided in this article with  
12 respect to the **lieutenant governor and the attorney general** [SECRETARY OF  
13 STATE]. The heads of all principal departments shall be citizens of the United States.

14 \* **Sec. 5.** Article III, Constitution of the State of Alaska, is amended by adding new  
15 sections to read:

16 SECTION 28. ATTORNEY GENERAL: QUALIFICATIONS,  
17 COMPENSATION, AND DUTIES. (a) There shall be an attorney general. The  
18 attorney general shall be at least thirty years of age and a qualified voter of the State.  
19 The attorney general shall have been a resident of Alaska at least five years  
20 immediately preceding the filing for office and shall have been a citizen of the United  
21 States for at least seven years. The attorney general shall be licensed to practice law  
22 in the State and shall possess additional qualifications prescribed by law.

23 (b) The compensation of the attorney general shall be prescribed by law and  
24 may not be diminished during the term of office unless by general law applying to all  
25 salaried officers of the State.

26 (c) The attorney general shall defend the State in all civil actions in which the  
27 State, a State agency, a State public corporation, or a State public enterprise is named  
28 as a defendant party, shall prosecute violations of State criminal law, including  
29 infractions and violations, and shall perform other duties prescribed by law.

30 SECTION 29. ATTORNEY GENERAL: ELECTION, TERM OF OFFICE,  
31 AND VACANCY. (a) The attorney general shall be chosen by the qualified voters

1 of the State at a general election. The candidate receiving the greatest number of votes  
2 shall be attorney general.

3 (b) The term of office of the attorney general is four years, beginning at noon  
4 on the first Monday in December and ending at noon on the first Monday in December  
5 four years later.

6 (c) A person who has been elected attorney general for two full successive  
7 terms is not eligible to hold that office until one full term has intervened.

8 (d) In case of a vacancy in the office of attorney general for any reason, a  
9 successor shall be elected for the remainder of the unexpired term at the first general  
10 election occurring not less than six months after the office becomes vacant. The  
11 governor may appoint a qualified person to fill the office between the date it becomes  
12 vacant and the date it is filled by election.

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

15 SECTION 29. INITIAL ELECTION OF ATTORNEY GENERAL. The first  
16 election for an attorney general required by the constitution to be elected shall occur  
17 at the first general election occurring after the office is established under the  
18 constitution. A vacancy that occurs in the office of attorney general before the first  
19 general election held after the office is established under the constitution shall be filled  
20 under the law as it existed before the office was established under the constitution.

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