

HOUSE JOINT RESOLUTION NO. 13

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE CRAWFORD

Introduced: 2/24/05

Referred: State Affairs, Judiciary, Finance

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska relating to the office of**
2 **attorney general.**

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

4 * **Section 1.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:

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

12 * **Sec. 2.** Article III, Constitution of the State of Alaska, is amended by adding a new
13 section to read:

14 **Section 28. Attorney General.** (a) The attorney general shall be elected in
15 the manner provided by law by the qualified voters of the State at the same time and
16 for the same term as the governor. A person is not eligible to serve as attorney general

1 unless the person meets the qualifications for a superior court judge. The attorney
2 general shall perform the duties and receive the compensation prescribed by law,
3 which compensation may not be diminished during the term of office for which the
4 attorney general is elected unless by general law applying to all salaried officers of the
5 state. There shall be no limit on the terms of the attorney general.

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

11 * **Sec. 3.** Article XV, Constitution of the State of Alaska, is amended by adding a new
12 section to read:

13 **Section 30. Initial Election of Attorney General.** The first election for an
14 attorney general required by the constitution to be elected shall occur at the first
15 general election at which a governor is to be elected occurring after the office of
16 attorney general is established under the constitution. A vacancy that occurs in the
17 office of attorney general before the first general election at which an attorney general
18 is elected shall be filled under the law as it existed before the office was established
19 under the constitution.

20 * **Sec. 4.** The amendments proposed by this resolution shall be placed before the voters of
21 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
22 State of Alaska, and the election laws of the state.