

HOUSE JOINT RESOLUTION NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE CRAWFORD

Introduced: 1/20/09

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 section
13 to read:

14 **Section 28. Attorney General.** (a) The attorney general shall be elected in the
15 manner provided by law by the qualified voters of the State at the same time and for
16 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.

6 (b) No person who has been elected attorney general for two full successive
7 terms shall be again eligible to hold that office until one full term has intervened.

8 (c) 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, subject to legislative confirmation, appoint a qualified person to fill the
12 office between the date it becomes vacant and the date it is filled by election.

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

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

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