

BY THE RULES COMMITTEE
BY REQUEST OF THE
GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 219

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the powers and duties
7 of the Attorney General of the State of
8 Alaska; and providing for an effective
9 date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. Section 9-1-5, ACLA 1949 is hereby amended to
12 read as follows:

13 Sec. 9-1-5. Duties. The Attorney General of Alaska
14 shall be the official legal advisor of the Governor, the
15 Treasurer, the Secretary, and other officers of the State
16 [TERRITORY]. He shall bring, prosecute and defend in the
17 name of the State [TERRITORY], all necessary and proper
18 actions or suits for the collection of the revenue under
19 State [TERRITORIAL] laws; he shall file informations and
20 prosecute all offenses against the revenue, and other laws of
21 the State [TERRITORY], prosecution of which is not otherwise
22 provided for; provided, however, and notwithstanding any other
23 provision of law, the Attorney General shall have concurrent
24 jurisdiction and power with each of the United States District
25 Attorneys over criminal prosecutions arising out of State laws;
26 he shall when requested by the Legislature or any member there-
27 of, give legal advice [ADVISE (ADVICE)] concerning any law
28 or proposed law or legislative measure; he shall take
29 cognizance of all memorials passed by the State [TERRITORIAL]

1 Legislature, shall urge on the various organizations or per-
2 sons to whom such memorials are addressed, the necessity for
3 the action prayed for in the memorial, and shall submit to
4 the next Legislature, a report on the memorials theretofore
5 passed by previous Legislatures; and all such other duties as
6 may be required by law, or as usually pertain to the office of
7 Attorney General in a State ~~[TERRITORY]~~; and he shall make
8 through the Governor, to the Legislature, at each regular
9 session thereof, a report of the work and expenditures of the
10 office, and upon needed legislation or amendments to existing
11 laws.

12 Bills, memorials and resolutions. It shall be the duty
13 of the Attorney General to draft and prepare in proper form
14 for introduction such bills, memorials or resolutions as may
15 be requested by any member of the Legislature, the Governor,
16 or any other State ~~[TERRITORIAL]~~ official. He shall consult
17 with members, officers and committees of the Legislature, when
18 requested, upon pending bills or measures, and at the request
19 of a member of the Legislature shall prepare amendments to
20 bills, memorials or resolutions under consideration by either
21 house.

22 Requests for the preparation of bills, memorials, or
23 resolutions shall be transmitted to the Attorney General and
24 the Attorney General shall keep a complete record of all re-
25 quests received of proposed bills, memorials and resolutions
26 in progress and completed, and such other information as may
27 be requisite to expedite legislation and to avoid duplication
28 of effort. Such record shall be open to inspection by any
29 member of the Legislature, or any State ~~[TERRITORIAL]~~ official;

1 provided, however, that the name of the person submitting a
2 request shall not appear in the record if the person
3 requesting so desires. Any member of the Legislature, the
4 Governor, or any State ~~TERRITORIAL~~ official may examine
5 this record and upon written request the Attorney General
6 shall transmit, in writing, any information therefrom
7 desired by such person.

8 Sec. 2. Section 9-1-16, ACLA 1949 is hereby amended to read
9 as follows:

10 Sec. 9-1-16. Employment of attorney to appear before
11 distant court. Whenever any cause wherein the State
12 ~~TERRITORY~~ is interested shall be pending before any court
13 distant from the capital and in which cause it is necessary
14 for the State ~~TERRITORY~~ to be represented by counsel, the
15 Attorney General, with the approval of the Governor, shall
16 have authority to engage one or more ~~SOME~~ attorneys-at-
17 law to appear for him before such court. ~~IN EVENT THE~~
18 ATTORNEY GENERAL CANNOT BE PRESENT IN PERSON, OR IN EVENT THE
19 MATTER INVOLVED IS NOT IN HIS OPINION OF SUFFICIENT IMPOR-
20 TANCE TO JUSTIFY HIM IN EXPENDING THE MONEY NECESSARY TO
21 ATTEND SUCH COURT IN PERSON. The Attorney General may for
22 such services cause to be paid out of the proper appropria-
23 tions for his office such sum as he shall deem fair and
24 reasonable. ~~PROVIDED, HOWEVER, THAT DURING NO ONE CALENDAR~~
25 YEAR SHALL HE PAY OR INCUR LIABILITY FOR SUCH SERVICES IN
26 AGGREGATE TO EXCEED FIVE HUNDRED DOLLARS.

27 Sec. 3. This Act shall take effect immediately upon its pas-
28 sage and approval or upon its becoming law without such approval.
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