

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; amending Sec. 9-1-5 and Sec. 9-1-16
9 ACLA 1949; and providing for an effective
10 date."

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

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

14 Sec. 9-1-5. Duties. The Attorney General of Alaska
15 shall be the official legal advisor of the Governor, the
16 Treasurer, the Secretary, and other officers of the State
17 TERRITORY. He shall bring, prosecute and defend in the
18 name of the State TERRITORY, all necessary and proper
19 actions or suits for the collection of the revenue under
20 State TERRITORIAL laws; he shall file informations and
21 prosecute all offenses against the revenue, and other laws of
22 the State TERRITORY, prosecution of which is not otherwise
23 provided for; provided, however, and notwithstanding Chapter
24 64, SLA 1959, the Attorney General shall have concurrent
25 jurisdiction and power with each of the United States District
26 Attorneys over criminal prosecutions arising out of State
27 laws; he shall when requested by the Legislature or any
28 member thereof, give legal advice ADVISE (ADVICE) concern-
29 ing any law or proposed law or legislative measure; he shall

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

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

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

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

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

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

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