

Introduced: 4/7/75  
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SCS HOUSE BILL NO. 385 dm  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to judicial appointments."

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

8 \* Section 1. AS 22.05.080(b) is amended to read:

9 (b) The office of a supreme court justice, including the office of  
10 chief justice, becomes vacant 90 days after the election at which he is  
11 rejected by a majority of those voting on the question, or for which he  
12 failed to file his declaration of candidacy to succeed himself. [ A  
13 SUCCESSOR TO THE OFFICE OF JUSTICE MAY BE APPOINTED, AND A SUCCESSOR TO  
14 THE OFFICE OF CHIEF JUSTICE MAY BE SELECTED BY THE OTHER JUSTICES,  
15 DURING THIS 90-DAY PERIOD AND THE APPOINTMENT OR SELECTION BECOMES  
16 EFFECTIVE UPON THE VACANCY OCCURRING.] A vacancy in the office also  
17 occurs by reason of the death, retirement, resignation, forfeiture, or  
18 removal from office of a justice. If a vacancy occurs the judicial  
19 council shall meet no more than [WITHIN] 30 days thereafter and submit  
20 to the governor the names of two or more persons nominated to fill each  
21 vacancy. A successor to the office of supreme court justice may be  
22 appointed by the governor before the vacancy occurs, and the appointment  
23 becomes effective upon the vacancy occurring.

24 \* Sec. 2. AS 22.10.100(b) is amended to read:

25 (b) The office of a superior court judge becomes vacant 90 days  
26 after the election at which he is rejected by a majority of those voting  
27 on the question, or for which he failed to file his declaration of  
28 candidacy to succeed himself. [HIS SUCCESSOR MAY BE APPOINTED DURING  
29 THIS PERIOD AND THE APPOINTMENT BECOMES EFFECTIVE UPON THE VACANCY

1 OCCURRING.] A vacancy in the office also occurs by reason of the death,  
2 retirement, resignation, forfeiture or removal from office of a judge.  
3 In the event of any vacancy other than an initial vacancy, or  
4 immediately upon certification of rejection following an election, or  
5 immediately upon failure of a judge to file declaration of candidacy,  
6 the judicial council shall meet no more than [WITHIN] 30 days thereafter  
7 and submit to the governor the names of two or more persons nominated  
8 to fill each vacancy. A successor to the office of superior court judge  
9 may be appointed by the governor before the vacancy occurs, and the  
10 appointment becomes effective upon the vacancy occurring.  
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