

Introduced: 4/7/75
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 385 am

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 no more than 60 days before the vacancy occurs,
23 and the appointment 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 no more than 60 days before the vacancy
10 occurs, and the appointment becomes effective upon the vacancy occurring.
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