

Introduced: 4/2/75  
Referred: Judiciary

1 IN THE SENATE

BY MILLER AND FERGUSON

2 SENATE CONCURRENT RESOLUTION NO. 36 *am H*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 Relating to the confirmation of  
6 Andrew S. Warwick as Commissioner  
7 of Administration.

8 BE IT RESOLVED BY THE ALASKA STATE LEGISLATURE:

9 WHEREAS the appointment by the Governor of Andrew S. Warwick to the  
10 post of Commissioner of Administration is presently awaiting confirmation by  
11 the legislature; and

12 WHEREAS the legislature, after the holding of confirmation hearings is  
13 of the mind that Andrew S. Warwick is qualified personally in all respects  
14 to hold the post to which he has been appointed; and

15 WHEREAS even though Mr. Warwick is thought to be personally qualified to  
16 hold the post, a controversy has arisen regarding his eligibility, constitu-  
17 tionally, to hold the office as he was a member of the Eighth State Legisla-  
18 ture which increased the amount of compensation the Commissioner of Adminis-  
19 tration receives; and

20 WHEREAS conflicting opinions have been issued by the Attorney General's  
21 Office and the Legislative Affairs Agency and the issue is one with little or  
22 no precedent for guidance; and

23 WHEREAS it is in the best interests of the state that Andrew S. Warwick  
24 be confirmed at the earliest possible time as Commissioner of Administration;  
25 and

26 WHEREAS it is equally important that a definitive answer as to whether  
27 or not he is eligible to serve under the Alaska Constitution be determined  
28 at an early date;

29 BE IT RESOLVED by the Alaska State Legislature that Andrew S. Warwick

1 be confirmed as Commissioner of Administration in joint session according to  
2 law and the Uniform Rules of the Alaska State Legislature; and be it

3       FURTHER RESOLVED that upon his being confirmed, the Legislative Council  
4 is directed to cause a suit to be initiated requesting a declaratory  
5 judgment in a court of competent jurisdiction to determine the question of  
6 Mr. Warwick's eligibility under the Alaska Constitution to hold the post of  
7 Commissioner of Administration and that the matter be pursued through the  
8 court of final appeal so that judicial guidelines will exist for all future  
9 cases of a similar nature.

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