

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 has been confirmed by the legislature;  
11 and

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

17 WHEREAS conflicting opinions have been issued by the Attorney General's  
18 Office and the Legislative Affairs Agency; and

19 WHEREAS it is equally important that a definitive answer as to whether  
20 or not he is eligible to serve under the Alaska Constitution is important to  
21 be clarified;

22 BE IT RESOLVED by the Alaska State Legislature that, since Andrew S.  
23 Warwick has been confirmed as Commissioner of Administration in joint session  
24 according to law and the Uniform Rules of the Alaska State Legislature, the  
25 Legislative Council is directed to cause a suit to be initiated requesting a  
26 declaratory judgment in a court of competent jurisdiction to determine the  
27 question of Mr. Warwick's eligibility under the Alaska Constitution to hold  
28 the post of Commissioner of Administration and that the matter be pursued  
29 through the court of final appeal so that judicial guidelines will exist for

1 all future cases of a similar nature.

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