

Introduced: 4/14/77
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 468

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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 in which he is
11 rejected by a majority of those voting on the question, or for which [,
12 IF] he fails to file his declaration of candidacy to succeed himself [,
13 90 DAYS AFTER THE FILING DEADLINE]. Upon the occurrence of (1) an
14 actual vacancy; (2) the certification of rejection following an election;
15 or (3) the failure of a judge to file a declaration of candidacy to
16 succeed himself, the judicial council shall meet within 45 days and sub-
17 mit to the governor the names of two or more persons qualified for the
18 judicial office; except that this 45-day period may be extended by the
19 council with the concurrence of the supreme court. In the event of an
20 impending vacancy other than by reason of rejection or failure to file
21 a declaration of candidacy, the council may meet at any time within the
22 90-day period immediately preceding the effective date of the vacancy
23 and submit to the governor the names of two or more persons qualified
24 for the judicial office.

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

26 (b) The office of a superior court judge becomes vacant 90 days
27 after the election at which he is rejected by a majority of those voting
28 on the question, or for which [, IF] he fails to file his declaration of
29 candidacy to succeed himself [, 90 DAYS AFTER THE FILING DEADLINE].

1 Upon the occurrence of (1) an actual vacancy; (2) the certification of
2 rejection following an election; or (3) the failure of a judge to file a
3 declaration of candidacy to succeed himself, the judicial council shall
4 meet within 45 days and submit to the governor the names of two or more
5 persons qualified for the judicial office; except that this 45-day
6 period may be extended by the council with the concurrence of the
7 supreme court. In the event of an impending vacancy other than by
8 reason of rejection or failure to file a declaration of candidacy, the
9 council may meet at any time within the 90-day period immediately pre-
10 ceding the effective date of the vacancy and submit to the governor the
11 names of two or more persons qualified for the judicial office.

12 * Sec. 3. AS 22.15.170(e) is amended to read:

13 (e) The office of a district court judge becomes vacant 90 days
14 after the election at which he is rejected by a majority of those voting
15 on the question, or for which [, IF] he fails to file his declaration of
16 candidacy to succeed himself [, 90 DAYS AFTER THE FILING DEADLINE]. Upon
17 the occurrence of (1) an actual vacancy; (2) the certification of re-
18 jection following an election; or (3) the failure of a judge to file a
19 declaration of candidacy to succeed himself, the judicial council shall
20 meet within 45 days and submit to the governor the names of two or more
21 persons qualified for the judicial office; except that this 45-day
22 period may be extended by the council with the concurrence of the
23 supreme court. In the event of an impending vacancy other than by
24 reason of rejection or failure to file a declaration of candidacy, the
25 council may meet at any time within the 90-day period immediately pre-
26 ceding the effective date of the vacancy and submit to the governor the
27 names of two or more persons qualified for the judicial office.