

Introduced: 1/9/78
Referred: Judiciary

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE JOINT RESOLUTION NO. 44

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska relating to the
7 attorney general.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Article III, sec. 23, Constitution of the State of Alaska is
10 amended to read:

11 SECTION 23. REORGANIZATION. (a) Except as provided in (b) of
12 this section, the [THE] governor may make changes in the organization of
13 the executive branch or in the assignment of functions among its units
14 which he considers necessary for efficient administration. Where these
15 changes require the force of law, they shall be set forth in executive
16 orders. The legislature shall have sixty days of a regular session, or
17 a full session if of shorter duration, to disapprove these executive
18 orders. Unless disapproved by resolution concurred in by a majority of
19 the members in joint session, these orders become effective at a date
20 thereafter to be designated by the governor.

21 (b) The governor shall make no change in the organization or func-
22 tion of any unit of the executive branch which is headed by the attorney
23 general.

24 * Sec. 2. Article III, sec. 24, Constitution of the State of Alaska is
25 amended to read:

26 SECTION 24. SUPERVISION. Except for any unit of the executive
27 branch which is headed by the attorney general, each [EACH] principal
28 department shall be under the supervision of the governor.

29 Sec. 3. Article III, sec. 25, Constitution of the State of Alaska is

1 amended to read:

2 SECTION 25. DEPARTMENT HEADS. The head of each principal depart-
3 ment shall be a single executive unless otherwise provided by law. He
4 shall be appointed by the governor, subject to confirmation by a majority
5 of the members of the legislature in joint session, and shall serve at
6 the pleasure of the governor, except as otherwise provided in this
7 article with respect to the lieutenant governor and the attorney general
8 [SECRETARY OF STATE]. The heads of all principal departments shall be
9 citizens of the United States.

10 * Sec. 4. Article III, Constitution of the State of Alaska is amended by
11 adding new sections to read:

12 SECTION 28. ATTORNEY GENERAL: QUALIFICATIONS. There shall be an
13 attorney general. He shall be a citizen of the United States and of the
14 State, be licensed to practice law in the State, and possess any addi-
15 tional qualifications prescribed by law.

16 SECTION 29. ELECTION. The attorney general shall be chosen by the
17 qualified voters of the State at a general election. The candidate
18 receiving the greatest number of votes shall be attorney general. The
19 first election of an attorney general shall be at the general election
20 in 1980.

21 SECTION 30. TERM OF OFFICE. The term of office of the attorney
22 general is six years, beginning at noon on the first Monday in December
23 following his election and ending at noon on the first Monday in December
24 six years later.

25 SECTION 31. VACANCY. In case of a vacancy in the office of attor-
26 ney general for any reason, a successor shall be elected for the remain-
27 der of the unexpired term at the first general election occurring not
28 less than 90 days after the office becomes vacant. The governor may
29 appoint a qualified person to fill the office between the date it

1 becomes vacant and the date it is filled by election.

2 SECTION 32. COMPENSATION. The compensation of the attorney
3 general shall be prescribed by law and shall not be diminished during
4 his term of office, unless by general law applying to all salaried
5 officers of the State.

6 SECTION 33. DUTIES. The attorney general shall be the legal
7 adviser of the state officers, and shall perform other duties prescribed
8 by law.

9 * Sec. 5. The amendments proposed by this resolution shall be placed be-
10 fore the voters of the state at the next general election in conformity with
11 art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws
12 of the state.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29