

Introduced: 1/24/79  
Referred: State Affairs and  
Judiciary

1 IN THE HOUSE

BY MARTIN, BARNES AND  
BETTISWORTH

2 HOUSE JOINT RESOLUTION NO. 6

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Consti-  
6 tution of the State of Alaska re-  
7 lating to the 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 major-  
5 ity of the members of the legislature in joint session, and shall serve  
6 at 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, and possess any additional qualifications prescribed by law.

15 SECTION 29. ELECTION. The attorney general shall be chosen by the  
16 qualified voters of the State at a general election. The candidate  
17 receiving the greatest number of votes shall be attorney general. The  
18 first election of an attorney general shall be at the general election  
19 in 1982.

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

24 SECTION 31. LIMIT ON TENURE. No person who has been elected  
25 attorney general for two full successive terms shall be again eligible  
26 to hold that office until one full term has intervened.

27 SECTION 32. VACANCY. In case of a vacancy in the office of attor-  
28 ney general for any reason, a successor shall be elected for the remain-  
29 der of the unexpired term at the first general election occurring not

1 less than 90 days after the office becomes vacant. The governor may  
2 appoint a qualified person to fill the office between the date it becomes  
3 vacant and the date it is filled by election.

4 SECTION 33. COMPENSATION. The compensation of the attorney  
5 general shall be prescribed by law and shall not be diminished during  
6 his term of office, unless by general law applying to all salaried  
7 officers of the State.

8 SECTION 34. DUTIES. The attorney general shall be the legal  
9 adviser of the state officers, and shall perform other duties prescribed  
10 by law.

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

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