

Original sponsors: Barnes, Abood,
Anderson, et al

Offered: 2/1/82
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 22 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the Consti-
6 tution of the State of Alaska re-
7 lating to the election of the attorney
8 general and to procedures governing
9 the election and term for state
10 offices to be elected under the
11 constitution.

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

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

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

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

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

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

4 * Sec. 3. Article III, sec. 25, Constitution of the State of Alaska is
5 repealed and readopted to read:

6 SECTION 25. DEPARTMENT HEADS. The head of each principal depart-
7 ment shall be a single executive unless otherwise provided by law. He
8 shall be appointed by the governor, subject to confirmation by a major-
9 ity of the members of the legislature in joint session, and shall serve
10 at the pleasure of the governor, except as otherwise provided in this
11 article with respect to the lieutenant governor and the attorney general.
12 The heads of all principal departments shall be citizens of the United
13 States.

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

16 SECTION 28. ATTORNEY GENERAL: QUALIFICATIONS. There shall be an
17 attorney general. He shall be at least thirty years of age and a quali-
18 fied voter of the State. He shall have been a resident of Alaska at
19 least five years immediately preceding his filing for office, and he
20 shall have been a citizen of the United States for at least seven years.
21 He shall be licensed to practice law in the State and shall possess
22 additional qualifications prescribed by law.

23 SECTION 29. ELECTION OF ATTORNEY GENERAL. The attorney general
24 shall be chosen by the qualified voters of the State on nonpartisan
25 ballots. Candidates for attorney general shall file for the office as
26 prescribed by law. The candidates receiving the greatest and the second
27 greatest number of votes on a nonpartisan ballot at the primary election
28 shall be candidates in the general election. The candidate receiving
29 the greatest number of votes on a nonpartisan ballot at the general

1 election shall be attorney general.

2 SECTION 30. LIMIT ON TENURE. No person who has been elected
3 attorney general for two full successive terms shall be again eligible
4 to hold that office until one full term has intervened.

5 SECTION 31. VACANCY. In case of a vacancy in the office of attor-
6 ney general for any reason, a successor shall be elected for the remain-
7 der of the unexpired term at the first general election occurring not
8 less than 90 days after the office becomes vacant. The governor may
9 appoint a qualified person to fill the office between the date it
10 becomes vacant and the date it is filled by election.

11 SECTION 32. COMPENSATION. The compensation of the attorney
12 general shall be prescribed by law and shall not be diminished during
13 his term of office, unless by general law applying to all salaried
14 officers of the State.

15 SECTION 33. DUTIES. The attorney general shall be the legal
16 adviser of the state officers, and shall perform other duties prescribed
17 by law.

18 SECTION 34. ELECTION AND TERM OF NEWLY ESTABLISHED ELECTED STATE
19 OFFICES. The first election for a state office required by the consti-
20 tution to be elected shall occur at the first general election occurring
21 after the office is established under the constitution. If a vacancy
22 occurs in the office before the first general election held after the
23 office is established under the constitution, the office shall be filled
24 under the law as it existed before the office was established under the
25 constitution. Except as otherwise provided in the constitution, the
26 term of office of a state office required by the constitution to be
27 elected begins at noon on the first Monday in December following the
28 general election for that office and it expires at noon on the first
29 Monday in December four years later.

1 * Sec. 5. Article XIII, Constitution of the State of Alaska, is amended
2 by adding a new section to read:

3 SECTION 5. TERM OF ATTORNEY GENERAL ELECTED IN 1984. The term of
4 office of the attorney general elected in the 1984 general election
5 shall be two years and it expires at noon on the first Monday in Decem-
6 ber, 1986. The attorney general elected in the 1986 general election
7 and each attorney general elected after 1986 shall serve the full four-
8 year term of office.

9 * Sec. 6. 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.

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