

Introduced: 3/2/81  
Referred: Judiciary and Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE JOINT RESOLUTION NO. 23

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitu-  
6 tion of the State of Alaska relating  
7 to the election of the attorney  
8 general.

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

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

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

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

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

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

1 \* Sec. 3. Article III, sec. 25, Constitution of the State of Alaska, is  
2 amended to read:

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

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

13 SECTION 28. ATTORNEY GENERAL: QUALIFICATIONS. There shall be an  
14 attorney general. He shall be a citizen of the United States and of  
15 the State.

16 SECTION 29. ELECTION. The attorney general shall be chosen by  
17 the 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 1984.

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 Decem-  
24 ber six years later.

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

28 SECTION 32. VACANCY. In case of a vacancy in the office of  
29 attorney general for any reason, a successor shall be elected for the

1 remainder of the unexpired term at the first general election occurring  
2 not less than 90 days after the office becomes vacant. The governor  
3 may appoint a qualified person to fill the office between the date it  
4 becomes vacant and the date it is filled by election.

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

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

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