

Offered: 3/4/83
Referred: Rules

Original sponsors: Uehling, Ward,
Barnes, et al

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 7 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska relating to the
7 election of the attorney general and to
8 procedures governing the election and
9 term for state offices to be elected
10 under the constitution.

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

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

14 SECTION 23. REORGANIZATION. (a) Except as provided in (b) of
15 this section, the [THE] governor may make changes in the organization
16 of the executive branch or in the assignment of functions among its
17 units which he considers necessary for efficient administration.
18 Where these changes require the force of law, they shall be set forth
19 in executive orders. The legislature shall have sixty days of a
20 regular session, or a full session if of shorter duration, to disap-
21 prove these executive orders. Unless disapproved by resolution con-
22 curred in by a majority of the members in joint session, these orders
23 become effective at a date thereafter to be designated by the gover-
24 nor.

25 (b) The governor shall make no change in the organization or
26 function of any unit of the executive branch which is headed by the
27 attorney 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 amended to read:

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

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

16 SECTION 28. ATTORNEY GENERAL: QUALIFICATIONS. There shall be
17 an attorney general. He shall be at least thirty years of age and a
18 qualified voter of the State. He shall have been a resident of Alaska
19 at least five years immediately preceding his filing for office, and
20 he shall have been a citizen of the United States for at least seven
21 years. He shall be licensed to practice law in the State and shall
22 possess 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
27 second greatest number of votes on a nonpartisan ballot at the primary
28 election shall be candidates in the general election. The candidate
29 receiving the greatest number of votes on a nonpartisan ballot at the

1 general 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
6 attorney general for any reason, a successor shall be elected for the
7 remainder of the unexpired term at the first general election occur-
8 ring not less than six months after the office becomes vacant. The
9 governor may appoint a qualified person to fill the office between the
10 date it 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 pre-
17 scribed 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 con-
20 stitution to be elected shall occur at the first general election
21 occurring after the office is established under the constitution. If
22 a vacancy occurs in the office before the first general election held
23 after the office is established under the constitution, the office
24 shall be filled under the law as it existed before the office was
25 established under the constitution. Except as otherwise provided in
26 the constitution, the term of office of a state office required by the
27 constitution to be elected begins at noon on the first Monday in
28 December following the general election for that office and it expires
29 at noon on the first Monday in December four years later.

1 * Sec. 5. The amendments proposed by this resolution shall be placed
2 before the voters of the state at the next general election in conformity
3 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
4 tion laws of the state.