

Offered: 5/15/87
Referred: Finance

5-0217B

Original sponsors: Kelly, Abood,
Sturgulewski and Faiks

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE JOINT RESOLUTION NO. 6 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska relating to the
7 office of state auditor.

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,
10 is amended to read:

11 SECTION 23. REORGANIZATION. Except as provided in this section,
12 the [THE] governor may make changes in the organization of the execu-
13 tive branch or in the assignment of functions among its units which he
14 considers necessary for efficient administration. Where these changes
15 require the force of law, they shall be set forth in executive orders.
16 The legislature shall have sixty days of a regular session, or a full
17 session if of shorter duration, to disapprove these executive orders.
18 Unless disapproved by resolution concurred in by a majority of the
19 members in joint session, these orders become effective at a date
20 thereafter to be designated by the governor. The governor may not
21 change the organization or function of any unit of the executive
22 branch that is headed by the state auditor.

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

25 SECTION 24. SUPERVISION. Except for any unit of the executive
26 branch that is headed by the state auditor, each [EACH] principal
27 department shall be under the supervision of the governor.

28 * Sec. 3. Article III, sec. 25, Constitution of the State of Alaska, is
29 amended to read:

1 SECTION 25. DEPARTMENT HEADS. The head of each principal de-
2 partment shall be a single executive unless otherwise provided by law.
3 He shall be appointed by the governor, subject to confirmation by a
4 majority of the members of the legislature in joint session, and shall
5 serve at the pleasure of the governor, except as otherwise provided in
6 this article with respect to the lieutenant governor and as provided
7 in Section 17 of Article IX with respect to the state auditor [SEC-
8 RETARY OF STATE]. The heads of all principal departments shall be
9 citizens of the United States.

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

12 SECTION 17. STATE AUDITOR. There shall be a state auditor. The
13 state auditor shall be a qualified voter of the State, a citizen of
14 the United States, and a resident of Alaska for at least five years
15 preceding appointment to the office. The state auditor shall meet re-
16 quirements for experience in management and accounting or auditing as
17 provided by law. The term of office of the state auditor is six
18 years, beginning at noon on the first Monday in January following the
19 convening of the legislature and ending at noon on the first Monday in
20 January following the convening of the legislature six years later.
21 The legislature shall provide by law for procedures for removal of the
22 state auditor for cause by affirmative vote of two-thirds of the
23 members of the legislature in joint session. The state auditor shall
24 be the auditor of the accounts of all departments, offices, and
25 agencies of the State including the legislature, the executive, and
26 the judiciary, all independent state corporations, all political
27 subdivisions of the State including municipalities, and the University
28 of Alaska. The state auditor shall perform other duties prescribed by
29 law. The office of the state auditor constitutes an agency

1 independent of the executive branch agencies named in Section 22 of
2 Article III.

3 SECTION 18. APPOINTMENT OF THE STATE AUDITOR. (a) The state
4 auditor selection committee shall nominate a candidate for appointment
5 as state auditor. The selection committee shall be composed of three
6 members of the senate appointed by the president of the senate and
7 three members of the house of representatives appointed by the speaker
8 of the house. One member of the minority party caucus in each house
9 shall be appointed to the selection committee. The state auditor
10 selection committee shall examine persons to serve as state auditor
11 regarding their qualifications and abilities and shall place the name
12 of the person selected in nomination. The nomination is effective if
13 approved by an affirmative roll call vote of two-thirds of the members
14 of the legislature in joint session. The appointment is effective if
15 the nomination is approved by the governor. However, the governor may
16 veto the appointment and return it, with a statement of objections, to
17 the legislature. Upon receipt of a veto message the legislature shall
18 meet immediately in joint session and reconsider approval of the
19 vetoed appointment. Upon reconsideration, the appointment is effec-
20 tive if approved by an affirmative vote of two-thirds of the members
21 of the legislature in joint session. The vote on the appointment and
22 on reconsideration of a vetoed appointment shall be entered in the
23 journals of both houses. If the legislature is in session and if the
24 governor neither approves nor vetoes the appointment within 15 days,
25 Sundays excepted, after its delivery to the governor, the appointment
26 becomes effective. If the legislature is not in session and the
27 governor neither approves nor vetoes the appointment within 20 days,
28 Sundays excepted, after its delivery to the governor, the appointment
29 becomes effective.

1 SECTION 19. VACANCY. If the term of the state auditor expires
2 without the appointment of a successor, the incumbent state auditor
3 may continue in office until a successor is appointed. In case of a
4 vacancy in the office of state auditor for any reason, the deputy
5 state auditor becomes the acting state auditor until a new state
6 auditor is appointed for a new term under the procedures set out in
7 Section 18 of this article.

8 SECTION 20. COMPENSATION. The compensation of the state auditor
9 shall be equal to the compensation of the lieutenant governor and
10 shall not be diminished during the term of office, unless by general
11 law applying to all salaried officers of the State.

12 SECTION 21. OTHER OFFICES. A person who has served as state
13 auditor may not hold the office of governor or lieutenant governor
14 until four years after the last day on which the person was state
15 auditor.

16 * Sec. 5. Article XV, Constitution of the State of Alaska, is amended
17 by adding a new section to read:

18 SECTION 29. BUDGET FOR THE OFFICE OF STATE AUDITOR. The yearly
19 amount appropriated for the office of the state auditor for the sec-
20 ond, third, and fourth years of operation may not be less than the
21 amount appropriated for the first year of operation except that the
22 budget may be reduced by a percent no greater than the percent that
23 the state operating budget for a subsequent year is reduced from the
24 state operating budget for the first year of operation for the office.

25 * Sec. 6. Section 14, Article IX, Constitution of the State of Alaska,
26 is repealed.

27 * Sec. 7. The amendments proposed by this resolution shall be placed
28 before the voters of the state at the next general election in conformity
29 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-

tion laws of the state.

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