

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

BY BARNES, ABOOD, ANDERSON, BEIRNE,
BETTISWORTH, BYLSMA, CUDDY,
HALFORD, HAUGEN, HAYES, MARTIN,
METCALFE, MONTGOMERY, O'CONNELL
AND SUTCLIFFE

1 IN THE HOUSE

2 HOUSE JOINT RESOLUTION NO. 22

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH 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
10 is 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
13 of the executive branch or in the assignment of functions among its
14 units which he considers necessary for efficient administration. Where
15 these changes require the force of law, they shall be set forth in
16 executive orders. The legislature shall have sixty days of a regular
17 session, or a full session if of shorter duration, to disapprove these
18 executive orders. Unless disapproved by resolution concurred in by a
19 majority of the members in joint session, these orders become effective
20 at a date 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1 repealed and readopted to read: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
8 general. The heads of all principal departments shall be citizens of
9 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
14 the State, and possess any additional qualifications prescribed by law.

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

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

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

25 SECTION 32. VACANCY. In case of a vacancy in the office of
26 attorney general for any reason, a successor shall be elected for the
27 remainder of the unexpired term at the first general election occurring
28 not less than 90 days after the office becomes vacant. The governor
29 may appoint a qualified person to fill the office between the date it

1 becomes vacant and the date it is filled by election.

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

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

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

11 SECTION 5. SCHEDULE OF TRANSITIONAL MEASURES FOR AMENDMENTS
12 RELATING TO THE OFFICE OF ATTORNEY GENERAL. The first election of an
13 attorney general shall be at the general election in 1984. Until the
14 election of the first attorney general as provided by Section 29 of
15 Article III the attorney general shall be appointed by the governor and
16 confirmed by the legislature in accordance with Section 25 of Article
17 III as that section read before its readoption. The term of office of
18 the first attorney general elected in accordance with the provisions of
19 Section 29 of Article III begins at noon, December 3, 1984.

20 *Sec. 6. The amendments proposed by this resolution shall be placed be-
21 fore the voters of the state at the next general election in conformity with
22 art. XIII, sec. 1, Constitution of the State of Alaska, and the election
23 laws of the state.

Original sponsors: Barnes, Abcod,
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 attorney general.

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16 executive orders. The legislature shall have sixty days of a regular
17 session, or a full session if of shorter duration, to disapprove these
18 executive orders. Unless disapproved by resolution concurred in by a
19 majority of the members in joint session, these orders become effective
20 at a date thereafter to be designated by the governor.

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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 The heads of all principal departments shall be citizens of the United
9 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 at least thirty years of age and a quali-
14 fied voter of the State. He shall have been a resident of Alaska at
15 least five years immediately preceding his filing for office, and he
16 shall have been a citizen of the United States for at least seven years.
17 He shall be licensed to practice law in the State and shall possess
18 additional qualifications prescribed by law.

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

27 SECTION 30. TERM OF OFFICE OF ATTORNEY GENERAL. The term of
28 office of the attorney general is six years, beginning at noon on the
29 first Monday in December following his election and ending at noon on

1 the first Monday in December six years later.

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3 has been elected attorney general for two full successive terms shall be
4 again eligible to hold that office until one full term has intervened.

5 SECTION 32. VACANCY IN OFFICE OF ATTORNEY GENERAL. In case of a
6 vacancy in the office of attorney general for any reason, a successor
7 shall be elected for the remainder of the unexpired term at the first
8 general election occurring not less than 90 days after the office
9 becomes vacant. The governor may appoint a qualified person to fill the
10 office between the date it becomes vacant and the date it is filled by
11 election.

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13 the attorney general shall be prescribed by law and shall not be
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15 all salaried officers of the State.

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17 shall be the legal adviser of the state officers, and shall perform
18 other duties prescribed by law.

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

21 SECTION 5. SCHEDULE OF TRANSITIONAL MEASURES FOR AMENDMENTS RELAT-
22 ING TO THE OFFICE OF ATTORNEY GENERAL. The first election of an
23 attorney general shall be at the general election in 1984. Until the
24 election of the first attorney general as provided by Section 29 of
25 Article III the attorney general shall be appointed by the governor and
26 confirmed by the legislature in accordance with Section 25 of Article
27 III as that section read before its readoption. The term of office of
28 the first attorney general elected in accordance with the provisions of
29 Section 29 of Article III begins at noon, December 3, 1984.

1 * Sec. 6. The amendments proposed by this resolution shall be placed be-
2 fore the voters of the state at the next general election in conformity with
3 art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws
4 of the state.

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HJR 22 (Judiciary) - "Proposing amendments to the Title Constitution of the State of Alaska relating to the Attorney General"
 Requested by House Finance Date 2/2/82

II. FISCAL DETAIL
 Agency Affected Office of the Governor
 Program Category Affected Division of Elections
 BRU, Program, Or Subprogram(s) Affected Division of Elections
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

No additional fiscal impact would occur with the passage of CS HJR 22 (Judiciary).

IV. DATE 2/3/82

PREPARED BY Danith D. Arnoldt *Danith D. Arnoldt*
 AGENCY Office of the Governor/Division of Elections
 PHONE 586-6181

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

3/16/82

14 QR 22

Taken from Furnice.

Referred to Rules waived

Chris Clark of

Shirley