



# Alaska State Legislature

1975

Source:

SCR 36 am H

## SENATE CONCURRENT RESOLUTION NO. 36

Relating to the confirmation of Andrew S. Warwick as Commissioner of Administration.

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### BE IT RESOLVED

#### BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the appointment by the Governor of Andrew S. Warwick to the post of Commissioner of Administration has been confirmed by the legislature; and

WHEREAS even though Mr. Warwick is thought to be qualified to hold the post, a controversy has arisen regarding his eligibility, constitutionally, to hold the office inasmuch as he was a member of the Eighth State Legislature which increased the amount of compensation the Commissioner of Administration receives; and

WHEREAS conflicting opinions have been issued by the Attorney General's Office and the Legislative Affairs Agency; and

WHEREAS it is equally important that a definitive answer as to whether or not he is eligible to serve under the Alaska Constitution is important to be clarified;

BE IT RESOLVED by the Alaska State Legislature that, since Andrew S. Warwick has been confirmed as Commissioner of Administration in joint session according to law and the Uniform Rules of the Alaska State Legislature, the Legislative Council is directed to cause a suit to be initiated requesting a declaratory judgment in a court of competent jurisdiction to determine the question of Mr. Warwick's eligibility under the Alaska Constitution to hold the post of Commissioner of Administration and that the matter be pursued through the court of final appeal so that judicial guidelines will exist for all future cases of a similar nature.