

HOUSE BILL NO. 179

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 5/15/19

Referred: Community & Regional Affairs, State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to judicial impeachment; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as the Responsible Judges Act.

6 * **Sec. 2.** AS 22.05.120 is amended to read:

7 **Sec. 22.05.120. Impeachment.** A supreme court justice is subject to
8 impeachment by the legislature for malfeasance or misfeasance in the performance of
9 official duties. **Malfeasance includes exercising legislative power.** Impeachment
10 shall originate in the senate and shall be approved by a two-thirds vote of its members.
11 The motion for impeachment must list fully the basis for the proceeding. Trial on
12 impeachment shall be conducted by the house of representatives. A supreme court
13 justice designated by the court shall preside at the trial. Concurrence of two-thirds of
14 the members of the house is required for a judgment of impeachment. The judgment
15 may not extend beyond removal from office, but does not prevent proceedings in the

1 courts on the same or related charges **except that the legislature's judgment under**
 2 **this section is not subject to judicial review.**

3 * **Sec. 3.** AS 22.07.075 is amended to read:

4 **Sec. 22.07.075. Impeachment.** A judge of the court of appeals is subject to
 5 impeachment by the legislature for malfeasance or misfeasance in the performance of
 6 official duties. **Malfeasance includes exercising legislative power.** Impeachment
 7 must originate in the senate and must be approved by two-thirds vote of its members.
 8 The motion for impeachment must list fully the basis for the proceeding. Trial on
 9 impeachment shall be conducted by the house of representatives. A supreme court
 10 justice designated by the court shall preside at the trial. Concurrence of two-thirds of
 11 the members of the house is required for a judgment of impeachment. The judgment
 12 may not extend beyond removal from office, but does not prevent proceedings in a
 13 court on the same or related charges **except that the legislature's judgment under**
 14 **this section is not subject to judicial review.**

15 * **Sec. 4.** AS 22.10.170 is amended to read:

16 **Sec. 22.10.170. Impeachment.** A superior court judge is subject to
 17 impeachment by the legislature for malfeasance or misfeasance in the performance of
 18 official duties. **Malfeasance includes exercising legislative power.** Impeachment
 19 shall originate in the senate and must be approved by two-thirds vote of its members.
 20 The motion for impeachment must list fully the basis for the proceeding. Trial on
 21 impeachment shall be conducted by the house of representatives. A supreme court
 22 justice designated by the court shall preside at the trial. Concurrence of two-thirds of
 23 the members of the house is required for a judgment of impeachment. The judgment
 24 may not extend beyond removal from office, but does not prevent proceedings in the
 25 courts on the same or related charges **except that the legislature's judgment under**
 26 **this section is not subject to judicial review.**

27 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).