

## COMPARISON OF CONSTITUTIONS

### CONSTITUTION OF 1867

### PROPOSED CONSTITUTION OF 1968

#### **ARTICLE V. ATTORNEY GENERAL AND STATE'S ATTORNEYS.**

##### **Attorney General.**

**Section 1.** There shall be an Attorney General elected by the qualified voters of the State, on general ticket, on the Tuesday next after the first Monday in the month of November, nineteen hundred and fifty-eight, and on the same day, in every fourth year thereafter, who shall hold his office for four years from the time of his election and qualification, and until his successor is elected and qualified, and shall be re-eligible thereto, and shall be subject to removal for incompetency, willful neglect of duty or misdemeanor in office, on conviction in a Court of Law.

vice on a commission and he shall not be eligible to hold any other public office of profit for one year immediately following his service.

##### **Section 5.21. Procedures of Nominating Commissions.**

Each nominating commission shall act only upon the concurrence of a majority of its members. Each commission shall elect one of its members as chairman.

##### **Section 4.17. Office of Attorney General.**

The attorney general shall be the chief legal officer of the State. He shall represent the State in all criminal cases in the Court of Appeals, the Intermediate Appellate Court, and the courts of the United States, and shall represent the State in all civil cases or proceedings in which the State is a party or may be interested. He shall have those other powers and duties with respect to criminal and civil cases or proceedings, and with respect to his responsibilities as chief legal officer of the State, that the General Assembly may prescribe by law. Upon request, he shall give his opinion on any legal matter to either house of the General Assembly or to its presiding officer, or to the governor, or to any other officer, agency, or department of the State. The attorney general may appoint, to serve at his pleasure, the number of deputies or assistants that the General Assembly may prescribe by law.

##### **Section 4.18. Qualifications.**

The attorney general shall have been a qualified voter in the State and have been authorized to practice law in the State for at least five years immediately preceding his election or appointment.

##### **Section 4.19. Election.**

The attorney general shall be elected by the voters of the State for a term beginning on the first Wednesday in January following his election and ending on the first Wednesday in January in the fourth year thereafter, and shall serve until his successor has qualified. If the first Wednesday in January is a legal holiday the term shall begin on the next day. If the office becomes vacant the governor shall appoint, with the advice and consent of the Senate, a person to the office for the remainder of the term.