

# Wyoming Liberty Index

## 62<sup>nd</sup> Wyoming Legislature ★ 2014 Budget Session

### **HB0109, Attorney general-elected official.**

Sponsors: Representative(s) Gay, Gingery, Halverson, Kroeker and Loucks and Senator(s) Nutting

#### **Comments**

Making the AG elected would give the AG a lot more independence from the governor, so this is a double edged sword. Independence from the governor is the real reason for last year's infamous SF 104, which unconstitutionally gutted the office of Superintendent of Public Instruction.

N: No significant fiscal or personnel impact. From a liberty standpoint, there is a great deal to be said for the advantages of diffusing power and making it subject to the electoral process. As Bruce Porter points out in "War and the Rise of the State," the centralization of power tends to be inimical to individual freedom and its decentralization tends to enhance liberty. The bill does appear to need at least two improvements before we can sing the Hallelujah chorus. It would probably be wise to require all reports created by the Attorney General to be provided to the Governor and insofar as this bill does not provide for an amendment to the Wyoming Constitution, it is most likely unConstitutional.

Weighted Rating: 2.00. Unweighted Rating: 1.00.

#### **Categories**

General Government, Limited Government, and Separation of Powers

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

#### **Document Status**

Final