

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 4, 2013

1:31 p.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Bob Lynn, Vice Chair
Representative Gabrielle LeDoux
Representative Charisse Millett
Representative Max Gruenberg

MEMBERS ABSENT

Representative Neal Foster
Representative Lance Pruitt

COMMITTEE CALENDAR

OVERVIEW(S): DEPARTMENT OF LAW

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MICHAEL C. GERAGHTY, Attorney General
Department of Law (DOL)
Juneau, Alaska

POSITION STATEMENT: Presented the overview of the Department of Law (DOL).

ACTION NARRATIVE

[1:31:47 PM](#)

CHAIR WES KELLER called the House Judiciary Standing Committee meeting to order at 1:31 p.m. Representatives Keller, LeDoux, and Millett were present at the call to order. Representatives Lynn and Gruenberg arrived as the meeting was in progress.

Overview(s): Department of Law

[1:32:11 PM](#)

CHAIR KELLER announced that the only order of business would be an overview of the Department of Law (DOL).

[1:32:22 PM](#)

MICHAEL C. GERAGHTY, Attorney General, Department of Law (DOL), explained that the DOL has four core functions: protect the safety and financial wellbeing of Alaskans; foster conditions for the responsible development of Alaska's natural resources; protect the fiscal integrity of the state; and promote good governance. Over 60 percent of the DOL's budget is devoted to protecting Alaskans via the DOL's Criminal Division, which has over 13 offices across the state staffed with assistant district attorneys. Last year, the Criminal Division handled just under 40,000 matters, including over 20,000 misdemeanors and over 8,000 felonies, as well as criminal appeals, extraditions, juvenile matters, petitions for post-conviction relief, "and the like." Out of the aforementioned 13 district attorney offices, 7 offices also house civil attorneys, and it's the DOL's Civil Division that addresses the core functions of protecting the state's fiscal integrity, promoting good governance, and fostering natural resource development, which includes litigating the state's right to develop its natural resources. In response to questions and comments, he relayed that whether to litigate a particular issue is determined by a number of factors; mentioned some examples of current, past, and possible future litigation to illustrate; and indicated that the DOL does speak with Alaska's congressional delegation regarding federal law.

[Members and he then briefly discussed further some of the examples he'd touched on.]

[2:13:53 PM](#)

ATTORNEY GENERAL GERAGHTY, returning to his overview of the DOL, explained that approximately 10 percent of the DOL's budget is devoted to fostering "economic opportunity, resource development," and that most cases involving those issues are handled in-house, though the DOL does use outside counsel on occasion. There are just under 300 attorneys currently working for the DOL, divided roughly equally between the Civil Division and the Criminal Division; five new positions were added this year and staffing levels are adequate; and the DOL earns a return on its budget in the sense that a big part of what the

DOL does is related to the fiscal integrity of the state. For example, for fiscal year 2011 (FY 11), the DOL recovered approximately \$146 million; for FY 12, the DOL recovered just under \$100 million; and thus far for FY 13, the DOL has already recovered \$255 million. In conclusion, in response to comments and questions, he explained that prior to serving as the attorney general, he served as a commissioner on the National Conference of Commissioners on Uniform State Laws (NCCUSL); and mentioned that he is a strong proponent of how Alaska currently chooses and retains its judges and how it chooses its attorney general.

[2:26:50 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:26 p.m.