

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO.116

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the organization of the  
7 supreme and superior courts of the state;  
8 amending subsection (4) of Sec. 32, Ch. 50,  
9 SLA 1959; and providing for an effective  
10 date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 Section 1. Subsection (4), Sec. 32, Ch. 50, SLA 1959, is  
13 hereby amended to read as follows:

14 (4) Notwithstanding the provisions of subsections (1),  
15 (2) and (3) of this section, in the event that either: a  
16 court of competent jurisdiction, by final judgment, declares  
17 that the District Court of the State of Alaska lacks juris-  
18 diction to determine causes arising under the laws of the  
19 State, notwithstanding the provisions of Public Law 508,  
20 85th Congress; or the President of the United States, by  
21 executive order, terminates the jurisdiction of the District  
22 Court of the State of Alaska; [ ] the Judicial Council shall  
23 forthwith meet and submit to the Governor the names of the  
24 persons nominated as justices or judges of all of the sup-  
25 reme and one or more or all superior courts of the State and  
26 in any event shall submit all of said names prior to January  
27 3, 1962. In the event that a court of competent jurisdiction  
28 by final judgment, declares that the United States Court of  
29 Appeals for the Ninth Circuit lacks jurisdiction to hear

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appeals from the District Court of the State of Alaska, the  
Judicial Council shall forthwith meet and submit to the  
Governor the names of the persons nominated as justices of  
the supreme court. If, upon the occurrence of any of the  
events set forth in this subsection, the members of the first  
Judicial Council have not been appointed, the Governor shall  
forthwith fill the initial vacancies.

Sec. 2. This Act shall take effect upon its passage and  
approval or upon becoming law without such approval.