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IN THE SENATE

BY THE JUDICIARY COMMITTEE

SENATE BILL NO.116

IN THE LEGISLATURE OF THE STATE OF ALASKA
FIRST LEGISLATURE - FIRST SESSION

A BILL

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

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

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

(4) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, in the event that either: a court of competent jurisdiction, by final judgment, declares that the District Court of the State of Alaska lacks jurisdiction to determine causes arising under the laws of the State, notwithstanding the provisions of Public Law 508, 85th Congress; or the President of the United States, by executive order, terminates the jurisdiction of the District Court of the State of Alaska; and the Judicial Council shall forthwith meet and submit to the Governor the names of the persons nominated as justices or judges of all of the supreme and one or more or all superior courts of the State and in any event shall submit all of said names prior to January 3, 1962. In the event that a court of competent jurisdiction by final judgment, declares that the United States Court of Appeals for the Ninth Circuit lacks jurisdiction to hear

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

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

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