

1 IN THE SENATE BY THE HOUSE JUDICIARY COMMITTEE
2 HOUSE COMMITTEE SUBSTITUTE FOR 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 and
9 subsection (2) of Sec. 31 of Chap. 50, SLA
10 1959; and providing for an effective 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
15 (1), (2) and (3) of this section, in the event that either:
16 a court of competent jurisdiction, by final judgment,
17 declares that the District Court of the District [STATE] of
18 Alaska lacks jurisdiction to determine causes arising under
19 the laws of the State, notwithstanding the provisions of
20 Public Law 508, 85th Congress; or the President of the United
21 States, by executive order, terminates the jurisdiction of
22 the District Court of the District [STATE] of Alaska; [.]
23 the Judicial Council shall forthwith meet and submit to the
24 Governor the names of the persons nominated as justices or
25 judges of all of the supreme and one or more or all superior
26 courts of the State and in any event shall submit all of said
27 names prior to January 3, 1962. In the event that a court
28 of competent jurisdiction, by final judgment, declares that
29 the United States Court of Appeals for the Ninth Circuit

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

10 Sec. 2. Subsection (2) of Sec. 31 of Chap. 50, SLA 1959 is
11 hereby amended to read as follows:

12 (2) The jurisdiction of the courts of the State
13 in this Act provided shall be exclusive from and after the
14 3rd day of January, 1962 but prior to that date shall be
15 non-exclusive, and nothing in this Act shall diminish or
16 deprive the District Court of the District /STATE/ of Alaska
17 or the Court of Appeals or the Supreme Court of the United
18 States of jurisdiction as provided by Public Law 508, 85th
19 Congress, and other laws applicable thereto.

20 Sec. 3. This Act shall take effect upon its passage and
21 approval or upon its becoming law without such approval.

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