

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE SENATE

BY SENATOR OWEN

SENATE BILL NO. 35

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRD LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the continuance of civil actions, proceedings, and hearings before state courts, and of administrative proceedings; changing the court Rules of Civil Procedure; and providing for an effective date."

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

* Section 1. AS 09 is amended by adding a new chapter to read:

CHAPTER 75. PRACTICE AND PROCEDURE

Sec. 09.75.010. CONTINUANCES. The trial of a civil action or proceeding, or the hearing of a motion in a court, irrespective of the date of the filing thereof or when it became at issue, shall be continued by the court upon stipulation between the parties or their attorneys made in good faith in open court or in writing and filed with the clerk.

* Sec. 2. AS 44 is amended by adding a new chapter to read:

CHAPTER 64. MISCELLANEOUS PROVISIONS

Sec. 44.64.010. CONTINUANCES. Any administrative proceeding before a state board, agency, commission, or officer, irrespective of the date of the filing thereof or when it became at issue, shall be continued by the board, agency, commission, or officer upon stipulation between the parties or their attorneys made in good faith either orally before the proper official or in writing and filed with the proper

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

official.

* Sec. 3. Under Rule 40 (f) and 77 (g) of the Rules of Civil Procedure promulgated by the Supreme court, the court determines whether or not a trial or motion shall be continued. Section 1 of this bill changes these rules to permit the parties or their attorneys to continue trials or motions by stipulation upon notice to the court.

* Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.