

Introduced: 3/5/69
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 255

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Law Revision Com-
7 mission."

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

9 * Section 1. AS 24.20 is amended by adding new sections to read:

10 ARTICLE 3. LAW REVISION COMMISSION.

11 Sec. 24.20.400. ALASKA LAW REVISION COMMISSION. (a) The Alaska
12 Law Revision Commission is established, under the control and super-
13 vision of the Alaska Legislative Council. It is comprised of five
14 members of the Alaska Bar Association and the following seven govern-
15 mental members: the chairmen of the judiciary committees of the state
16 senate and house of representatives, or their designees from among the
17 members of their respective committees; the chairman of the Alaska
18 Legislative Council, and a member of the council from the opposite party
19 appointed by the chairman, or their designees from among the members of
20 the council; the attorney general, or his designee from among his staff;
21 one justice of the Alaska Supreme Court, chosen by the justices of
22 that court, or his designee from among the justices; one judge of the
23 Alaska Superior Court, chosen by the judges of that court, or his
24 designee from among the judges of that court. The first bar association
25 members of the commission are to be selected by the president of the
26 association and subsequent ones by statewide election by active members
27 of the association with at least one commission member from the first
28 judicial district, one from the third judicial district and one from
29 the second or fourth judicial districts.

1 (b) Vacancies on the commission shall be filled by the respective
2 selecting authorities for the remainder of the terms of the vacated
3 positions.

4 (c) The commission shall elect one of its members to serve as
5 chairman for a term prescribed by the commission.

6 (d) The attorney general, the supreme court justice and the
7 superior court judge are nonvoting members and may not serve as chair-
8 man.

9 Sec. 24.20.410. TERM OF OFFICE. The term of office for nongovern-
10 mental members and for the judge and justice is four years, and they
11 shall hold office until the selection of their successors. Initial
12 nongovernmental members shall be appointed by the president of the bar
13 association for staggered terms as follows: two members for two years,
14 two for three years and one for four years.

15 Sec. 24.20.420. TRAVEL EXPENSES AND PER DIEM. Each member of the
16 commission is entitled to payment of travel expenses and per diem as
17 provided in AS 39.20.180, but is not entitled to receive compensation
18 for his services.

19 Sec. 24.20.430. ADMINISTRATIVE SERVICES. Administrative services
20 for the commission may be provided by the Legislative Affairs Agency
21 to the extent authorized by the legislative council.

22 Sec. 24.20.440. STATE RESEARCH FACILITIES AVAILABLE TO COMMISSION.
23 The material of the state law libraries and other state libraries shall
24 be made available to the commission. All state agencies and all persons
25 connected with them shall give the commission full cooperation and
26 reasonable assistance in matters of research requiring recourse to
27 them or to data within their knowledge or control.

28 Sec. 24.20.450. VOTES OF LEGISLATIVE MEMBERS. The legislative
29 members are not bound by their vote on a given matter when it later

1 comes up for consideration by the legislative council or the legisla-
2 ture.

3 Sec. 24.20.460. RULES. The commission shall make rules providing
4 for internal operation and administration.

5 Sec. 24.20.470. DUTIES OF COMMISSION. The commission shall,
6 within the limitations imposed by sec. 490 of this chapter,

7 (1) examine the statutes, the common law and judicial
8 decisions of the state for the purpose of discovering defects and
9 anachronisms in the law and recommending needed reforms;

10 (2) receive and consider proposed changes in the law
11 recommended by the American Law Institute, the National Conference of
12 Commissioners on Uniform State Laws, any bar association or other
13 learned body;

14 (3) receive and consider suggestions from judges, justices,
15 public officials, lawyers, and the public generally as to defects and
16 anachronisms in the law;

17 (4) recommend changes in the law it considers necessary to
18 modify or eliminate antiquated and inequitable rules of law, and to
19 bring the law of this state into harmony with modern conditions;

20 (5) recommend the express repeal of all statutes repealed
21 by implication, or held unconstitutional by the supreme court of the
22 state or the Supreme Court of the United States.

23 Sec. 24.20.480. REPORTS. The commission shall, within the limi-
24 tations of sec. 490 of this chapter, submit to the legislative council
25 reports on its studies, which reports may include recommendations (pre-
26 pared in accordance with the Legislative Affairs Agency's legislative
27 drafting manual) as to revision of the laws. The reports and proposed
28 legislative measures shall be printed by the Legislative Affairs
29 Agency as authorized by the legislative council.

1 Sec. 24.20.490. STUDIES. The commission shall file with each
2 regular session of the legislature a list of the topics selected by it
3 for study, the studies in progress and the topics intended for future
4 consideration. After the filing of its first list, the commission
5 shall confine its studies to those topics set out in its last preced-
6 ing list which are approved for its study by concurrent resolution
7 of the legislature.

8 Sec. 24.20.500. COOPERATION WITH OTHER INSTITUTIONS OR ORGANIZA-
9 TIONS. (a) The commission may cooperate with any bar association or
10 other learned, professional, or scientific association, institution
11 or foundation in any manner suitable for the fulfillment of the
12 purposes of this chapter.

13 (b) The commission may, with the approval of the commissioner of
14 administration, enter into, amend and terminate contracts with
15 colleges, universities, schools of law or other research institutions,
16 or with qualified individuals for the purposes of research.
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