

Original sponsor: Judiciary Committee

Offered: 4/11/74  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE -- SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the postponement of civil proceed-  
7 ings when a party or attorney is a member of the  
8 legislature; and changing Rule 40(f) of the Alaska  
9 Rules of Civil Procedure."

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

11 \* Section 1. AS 24.40 is amended by adding a new section to read:

12 Sec. 24.40.031. POSTPONEMENT OF CIVIL PROCEEDINGS WHEN A PARTY  
13 OR ATTORNEY IS A MEMBER OF THE LEGISLATURE. When it appears that a  
14 party or an attorney of record of a party to a civil action is a member  
15 of the legislature of this state, and that the legislature is in ses-  
16 sion, the action shall be continued until 10 days after the legislature  
17 has adjourned, unless the party or attorney upon the call of the action  
18 for trial waives the benefit of this section. When it appears that a  
19 party or an attorney of record of a party to a civil action is a member  
20 of the legislative council, the Legislative Budget and Audit Committee,  
21 or one of their subcommittees, the action shall be continued when the  
22 legislative council, budget and audit committee, or the subcommittee,  
23 as the case may be, is holding a meeting, unless the party or attorney  
24 upon the call of the action for trial waives the benefit of this section.  
25 When it is necessary to file a brief or memorandum of law in an action  
26 which has been continued under the provisions of this section, the action  
27 shall be continued for a time sufficient to prepare and file the brief  
28 or memorandum.

29 \* Sec. 2. In sec. 1 of this Act, AS 24.40.031 has the effect of changing

1 Rule 40(f) of the Alaska Rules of Civil Procedure, by providing for the  
2 continuance of a trial of a civil action or other court proceeding when a  
3 party or attorney is a member of the legislature.

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