

Original sponsor: Rules Committee by
request of the Legislative Council Criminal
Code Revision Subcommittee

Offered: 5/11/76
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 694 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating a code revision commission; and pro-
7 viding for an effective date."

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

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

10 Sec. 24.20.075. ALASKA CODE COMMISSION. (a) The Code Revision
11 Commission is established as a permanent commission of the legislature.

12 (b) The commission consists of two legislators, one from each
13 house, appointed by the presiding officer; one public member appointed
14 by the governor; a designee of the chief justice of the supreme court;
15 and a designee of the Alaska Bar Association appointed by the board of
16 governors of the association. Legislative members serve at the pleasure
17 of the presiding officer, and appointed members serve at the pleasure of
18 the appointing authority. Members receive the standard per diem for
19 board members, or the regular legislative per diem if they are legisla-
20 tors, for days spent on commission business. The commission selects its
21 chairman and vice-chairman. The director of legal services for the
22 Legislative Affairs Agency, or his designee, serves as executive secre-
23 tary for the commission.

24 (c) The commission shall

25 (1) examine the statutes of the state and judicial decisions
26 to discover defects and anachronisms in the law;

27 (2) review and consider proposed changes in the law recom-
28 mended by the National Law Institute, the National Conference of Com-
29 missioners on Uniform State Laws, the Alaska Judicial Council, the

1 supreme court, the state or local bar associations, principal depart-
2 ments, agencies, boards and commissions of the executive or judicial
3 branch, and committees of the legislative branch;

4 (3) receive and consider suggestions from the Alaska bench
5 and bar, public officials, organizations, and individuals as to areas of
6 law needing review and remedy;

7 (4) recommend changes in law needed to eliminate antiquated
8 and inadequate rules of law and to bring the law into harmony with
9 current needs and conditions.

10 (d) The commission may

11 (1) hold public hearings and other meetings as necessary
12 throughout the state and shall determine an appropriate quorum for
13 conducting business;

14 (2) establish one or more subcommissions to assist it in
15 the performance of its duties.

16 (e) The staff of the Legislative Affairs Agency serves as staff
17 for the commission. Subject to appropriation for the purpose, the
18 commission may request the agency to contract with other agencies or
19 persons for the performance of necessary services.

20 (f) The commission shall submit its reports and recommendations,
21 and draft legislation as to revision of law, to the Legislative Council
22 and shall distribute them to the governor, members of the legislature,
23 and the chief justice of the supreme court.

24 (g) All branches of state government shall provide information and
25 documents requested by the commission necessary to the accomplishment of
26 its work.

27 (h) The commission shall make a formal request to the legislative
28 council for funds it considers necessary for the per diem, travel, and
29 contractual expenses of the commission. Funds appropriated to the

1 commission are to be disbursed and accounted for under procedures re-
2 quired by the Legislative Affairs Agency. The commission chairman shall
3 approve all expenditure documents.

4 * Sec. 2. CRIMINAL LAW REVISION SUBCOMMISSION. (a) There is established
5 as a subcommission of the Code Revision Commission the Criminal Law Revision
6 Subcommission.

7 (b) The subcommission established in (a) of this section is composed of
8 the following

9 (1) the chairman of the judiciary committee of the state house of
10 representatives or his designee from that committee and the chairman of the
11 judiciary committee of the state senate or his designee from that committee;

12 (2) the attorney general, or his designee;

13 (3) the commissioner of public safety, or his designee;

14 (4) the director of the division of corrections, Department of
15 Health and Social Services, or his designee;

16 (5) a judge of the superior court appointed by the chief justice;

17 (6) a judge of the district court appointed by the chief justice;

18 (7) the public defender, or his designee;

19 (8) one mayor or his designee, from a municipality, designated by
20 the council;

21 (9) one person, representative of rural Alaska, designated by the
22 council;

23 (10) two attorneys experienced in the practice of criminal law
24 appointed by the Board of Governors of the Alaska Bar Association;

25 (11) two representatives of the general public appointed by
26 the Legislative Council.

27 (c) An appointing authority or a designated member of the subcommission
28 may name an alternate to serve in his stead when the member is unable to
29 attend a meeting.

1 (d) Members of the subcommission established in (a) of this section
2 serve ex officio or at the pleasure of the appointing authority.

3 (e) Public members receive no salary but are entitled to per diem and
4 travel expenses authorized by law for other boards and commissions.

5 (f) The subcommission shall

6 (1) advise the governor and the legislature, through the Code
7 Revision Commission, on necessary and appropriate revision of the criminal
8 law;

9 (2) prepare a comprehensive revision of the state criminal laws
10 including but not limited to necessary substantive and topical revisions of
11 crimes, criminal procedure, sentencing, and parole and probation of offen-
12 ders, for submission to the legislature;

13 (3) conduct studies of criminal justice practices and procedures;

14 (4) subject to approval of the Code Revision Commission, receive
15 and expend grants and appropriations from private and governmental sources
16 for the purpose of carrying out its duties under this section;

17 (5) request the Legislative Affairs Agency, through the Code
18 Revision Commission, to contract with other agencies or persons for the
19 performance of necessary services;

20 (6) submit a report with recommendations and draft legislation
21 through the Code Revision Commission to the council concerning substantive or
22 topical revisions to the criminal laws before December 1, 1977.

23 (g) The subcommission shall select a chairman and vice-chairman from
24 among its members.

25 (h) The subcommission may hold public hearings and other meetings as
26 necessary throughout the state and shall determine an appropriate quorum for
27 conducting business.

28 * Sec. 3. The subcommission established by sec. 2 of this Act expires
29 January 15, 1978.

1 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
2 070(c).
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