

Introduced: 1/24/79
Referred: Judiciary and
Finance

BY FREEMAN, MOSS AND
RANDOLPH

1 IN THE HOUSE

2 HOUSE BILL NO. 63

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Antiquities Act Legal Defense
7 Fund."

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

9 * Section 1. AS 18.85 is amended by adding a new section to read:

10 Sec. 18.85.165. ANTIQUITIES ACT LEGAL DEFENSE FUND. (a) There is
11 created an Antiquities Act Legal Defense Fund, administered by the
12 public defender in accordance with the provisions of this section.

13 (b) The public defender shall pay from the Antiquities Act Legal
14 Defense Fund the reasonable attorney fees of people who qualify under
15 (c) of this section for trial and appellate level legal representation.

16 (c) A person qualifies for payment of reasonable attorney fees
17 from the Antiquities Act Legal Defense Fund if he makes a written re-
18 quest to the public defender for payment, and

19 (1) he is being detained by a law enforcement officer in
20 connection with a criminal charge for violation of a provision of 16
21 U.S.C. secs. 431 - 433 or a rule or regulation issued under 16 U.S.C.
22 secs. 431 - 433 on lands declared to be national monuments by Presi-
23 dential proclamations 4611 - 4627, issued December 1, 1978, under
24 authority of 16 U.S.C. sec. 431; or

25 (2) he is under formal charge of having committed, or is
26 being detained for conviction of a crime under 16 U.S.C. secs. 431 - 433
27 or a rule or regulation issued under 16 U.S.C. secs. 431 - 433 on lands
28 declared to be national monuments by Presidential proclamations 4611 -
29 4627, issued December 1, 1978, under authority of 16 U.S.C. sec. 431.

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(d) The public defender shall determine the reasonableness of attorney fees for which payment is requested under this section and shall pay from the Antiquities Act Legal Defense Fund only the amount he determines to be reasonable.