

Introduced: 2/21/84
Referred: Judiciary

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 SENATE CONCURRENT RESOLUTION NO. 38
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - SECOND SESSION
5 Relating to out-of-court settlements by
6 the state.
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 WHEREAS out-of-court settlements by the state that result in increased
9 costs or obligations on the part of the state have the effect of establish-
10 ing state policy; and
11 WHEREAS the state should not be forced to make payments as a result of
12 litigation without a final judicial determination of the state's obliga-
13 tions; and
14 WHEREAS the out-of-court settlement in Cleary v. Smith, Superior Court
15 No. 81-5274 (1983) is an example of the state being forced to make payments
16 without a judicial determination of the state's legal obligations;
17 BE IT RESOLVED by the Alaska State Legislature that the governor is
18 requested not to authorize out-of-court settlements in litigation that
19 results in increased costs and obligations on the part of the state.