

Introduced: 2/14/86  
Referred: State Affairs  
and Judiciary

1 IN THE SENATE

BY FAIKS

2

SENATE BILL NO. 412

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to claims against the state."

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

8 \* Section 1. AS 44.77.040(b) is amended to read:

9 (b) The department, after the hearing, may affirm, reverse, or  
10 modify its original decision. Upon acceptance by the claimant of the  
11 decision of the department or if the claimant does not obtain judicial  
12 review [BRING AN ACTION ON THE CLAIM] as set out in (c) of this sec-  
13 tion, the department shall issue a warrant against the proper appro-  
14 priation for the sum the department finds due the claimant.

15 \* Sec. 2. AS 44.77.040(c) is amended to read:

16 (c) If the claimant does not accept the decision of the Depart-  
17 ment of Administration, the claimant may obtain judicial review of the  
18 decision in accordance with AS 44.62.560 - 44.62.570 [BRING AN ACTION  
19 UNDER AS 09.50.250 - 09.50.300 IF IT IS BROUGHT WITHIN 30 DAYS AFTER  
20 THE CLAIMANT RECEIVES NOTICE OF THE DECISION OF THE DEPARTMENT]. A  
21 claimant may also bring an action under AS 09.50.250 - 09.50.300 at  
22 any time after one year has elapsed since the presentation of the  
23 claim under AS 44.77.010, if no decision has been made by the depart-  
24 ment.

25 \* Sec. 3. AS 44.77.070 is amended to read:

26 Sec. 44.77.070. APPLICATION OF PROCEDURE. AS 44.77.010 -  
27 44.77.060 do not apply to a [ANY] department in the executive branch  
28 or to the legislative or judicial branches if that department or  
29 branch [WHICH] has adopted a mandatory claims and appeal procedure.