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COMMITTEE REPORT

2/27/75

HOUSE

Mr. Speaker:

Date 3/13/75

The Committee on Judiciary has had SB 118

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE CI

COMMITTEE and refer to Judiciary

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
<u>James R. ...</u>	_____	_____
<u>Tom ...</u>	_____	_____

Members NOT concurring in the Majority report:

_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

James R. ... Chairman

AMENDMENT

OFFERED IN THE HOUSE:

By: House Judiciary

To: _____ HOUSE BILL No. _____

SENATE BILL No. 138

PAGE: 1

LINE: 12 & 13

Line 12

after "parks" ADD "and state recreation areas"

after "established" ADD "by law" and DELETE the rest of the sentence

Line 13

after "shall" ADD "and shall be subject to the same provisions as

COMMITTEE REPORT

5/22/75

HOUSE

Mr. Speaker:

Date May 25, 1975

The Committee on JUDICIARY has had SP 128

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other" Majority No Rec

Members signing the Majority report:

Members NOT concurring in the Majority report:

recommends: No Rec

recommends: No Rec

recommends: " "

recommends: " "

recommends: " "

Chairman

House Judiciary Committee
March 5, 1975

HB 106/SB 138 Zoning in State Parks

Ted Smith, sponsor of HB 106 testified that it was primarily to prevent incompatible business enterprises in the parks.

Mr. Fink suggested that an amendment be made to line 13 to the effect that actions are not final unless approved by the legislature.

Mr. Fink requested a letter from the Attorney General regarding whether or not land in Chugach State Park would be subject to zoning (since private land in the park has previously been designated as enclaves and not inholdings).

The bill will be held pending receipt of the letter from the AG.

HB 99 Guide Licensing

Mr. Brown testified that the Resources CS cleans up the language but does not make any substantive changes.

Mr. Fink brought up the problem in line 23 of the reference to 200 (e) Joel Bennett will study the matter to determine if 200 (e) should be changed or repealed.

HB 170 Judicial payments of subdivisions

Hearing scheduled for Monday, March 24 at 1:15 p.m.
Invite: Art Snowden, John Spencer, Municipal League, Community and Regional Affairs, Reps. Gruening and Cowper, get fiscal note.

HB 148 Conscience Clause

Hearing scheduled for Monday, March 10. Invite representatives of the unions.

HB 14 Criminal Code

Since the Senate resolution hasn't made much progress, the Chairman will draft a House resolution for committee discussion.

House Judiciary Committee
March 11, 1975

The meeting was called to order at 1:20 p.m. by Chairman Gardiner. All members were present.

HB 209 Income tax penalty

Fred Boetsch, Deputy Commissioner of the Department of Revenue testified that the Federal Internal Revenue Code has provisions for punishing those who give false withholding information but at present the state can only prove fraud after a person has either filed a false or no tax return. This bill would give the state authority to prosecute those who give false information on W-4 forms.

Mr. Parr moved that HB 209 be reported out of committee with a do pass recommendation. There being no objection, it was so ordered.

SB 138 Zoning state parks

Chugach and Kachemak parks exclude "valid entries" so that zoning for enclaves in these two parks only comes under the borough rather than the park. To exclude the valid entry provision would require a bill, an exemption in the Municipal Code, a change in the enclave status, and possibly boundary changes in the parks.

Mr. Brown moved that in line 12 "and state recreation areas" be added after "state parks". There being no objection, the amendment was adopted.

Mr. Brown moved that in line 12 "established under this chapter" be deleted and replaced by "established by law." There being no objection, the amendment was adopted. The committee also requested that the Revisor of Statutes be informed that all state parks are not in the same statute.

Mr. Fink moved that on line 13 to end the language be changed to state "Zoning under (a) of this section is final when approved by concurrent resolution of the legislature at the next regular session after the regulations are adopted." There being no objection, the amendment was adopted.

House Judiciary Committee
March 13, 1975

The meeting was called to order at 1:25 p.m. by Vice Chairman Bradley. Mr. Gardiner and Mr. Specking were absent.

HB 139 Rental Adjustment

Rep. Gruening stated that the bill deletes the waiver section which, in the past, has been abused. This bill would not affect past waivers, but could affect the Teamsters lease now under contention.

Kathy Jacobson of the Department of Natural Resources stated that the Department favors the bill. The Teamsters problem has given publicity to the possible waiver and they anticipate that more people will attempt to receive a waiver.

Mr. Fink stated that FHA won't finance housing developments if there is a possibility that the land will be reassessed every five years.

Bill Fackler, Deputy Commissioner of Natural Resources, testified that there are presently 2 - 3 thousand state leases exclusive of those dealing with extracting resources.

Mr. Parr moved on page 1, line 11: After "lease" add , except an open-to-entry lease" The amendment passed

Mr. Brown moved HB 139 am out of committee. There being no objection, it was so ordered.

HB 35 Guide Licensing

The committee agreed to await further testimony Mr. Parr would obtain in Fairbanks this weekend.

HB 99 Guide Licensing

Mr. Gardiner explained that the CS changes the departments in sections 2 and 3 to the correct departments.

Mr. Bradley moved CS HB 99 out of committee. There being no objection, it was so ordered.

SB 138 Zoning in State Parks

Mr. Cotton moved SB 138 out as amended previously. Mr. Fink objected.

The committee discussed adding language in line 10 to give the Department "exclusive" authority.

The committee agreed to send the bill to Community and Regional Affairs and then back to Judiciary. Mr. Fink moved that the bill be signed out with the amendments previously adopted. There being no objection, it was so moved.

172

House Judiciary Committee
May 26, 1975

The meeting was called to order at 2:15 p.m. by Chairman Gardiner. All members were present.

CS SB 257 am Municipal Fire Departments

Douglas Body, Coordinating Fire Chief, testified that there is no statutory authority for the fire departments to do some of the things they are presently doing.

The following amendments passed:

page 1, line 18, page 1, line 23: after city insert: organized village.

page 2, line 7: after trespass insert: upon property at or near the scene of a fire.

page 2, line 7: delete without liability

page 2, line 21: delete without liability

page 2, line 17: insert before inspect: upon 24 hour notice to the owner or occupant,

page 2, line 24: delete all of subsection (9) and renumber

page 3, line 2: insert after misdemeanor: , and upon conviction, is punishable by imprisonment for one year, or by a fine of not more than \$1,000, or by both.

page 2, line 3: delete all of Section 3

page 3, line 6: insert definition section "preplanning" to be drafted.

The Judiciary CS for CS SB 257 am was passed out of committee.

SB 384 Revise statutes

page 6, line 9: delete bring and insert seek, delete action and insert or an action in the nature of an action for mandamus.

The Judiciary CS for SB 384 was passed out of committee.

SB 138 Zoning State Parks

The C and RA CS for SB 138 was passed out of committee.