

HB

195

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

February 14, 1979

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 195

"An Act providing for an advisory committee on judicial sentencing practices; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

POCCE ORR Do Pass

Terry Martin

Richard O'Connell

Robert Anderson

Charles H. R.

CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

By: House Judiciary

To: _____ HOUSE BILL No. 195

SENATE BILL No. _____

PAGE: 1

LINE: 18 and 23

on line 18 delete "four" and insert "three"

on line 23 delete the period after "legislature" and
insert "; and"

on line 23 insert "(4) one member from another minority,
appointed by the governor.

do not delete the original line 24, just move everything down
one line

Introduced: 2/14/79
Referred: Judiciary and
Finance

BY ANDERSON, FULLER, HURLBERT,
MARTIN, MILLER, MUNSON, OSTERBACK,
PARR AND SCHAEFFER

1 IN THE HOUSE

2 HOUSE BILL NO. 195

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for an advisory committee on judicial
7 sentencing practices; and providing for an effective
8 date."

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

10 * Section 1. ADVISORY COMMITTEE ON JUDICIAL SENTENCING PRACTICES. There
11 is established the Advisory Committee on Judicial Sentencing Practices as a
12 temporary committee to assist the Judicial Council in its review, investiga-
13 tion, and formulation of responses to problems and concerns arising out of
14 the Judicial Council's findings of apparent discrimination in the sentencing
15 of minority persons convicted of crimes in the courts of the state.

16 * Sec. 2. MEMBERSHIP. (a) The Advisory Committee on Judicial Sentencing
17 Practices is composed of nine members, selected as follows:

18 (1) ^{Three} ~~four~~ members, appointed by the Judicial Council, who shall be
19 broadly representative of criminal justice agencies;

20 (2) three Alaska Natives, one appointed by the governor, and one
21 by the presiding officer of each house of the legislature; and

22 (3) two Blacks, one appointed by the presiding officer of each
23 house of the legislature,

24 (4) ⁽⁴⁾ one member from another minority, appointed by the governor,
25 (b) Appointments shall be made with due consideration to the
26 availability and willingness of an appointee to devote the time and
27 efforts necessary to permit the committee to function effectively, and
28 with regard to the degree of commitment of an appointee to the principle
29 of equal justice under law for all people. Appointments shall be with-
out regard to political affiliation, and shall be made, if possible,

1 within 20 days of the effective date of this Act, or of the effective
2 date of any vacancy in the membership of the committee.

3 (c) Vacancies in office shall be appointed in the manner provided in
4 (a) of this section.

5 * Sec. 3. COMPENSATION. The members of the Advisory Committee on Judi-
6 cial Sentencing Practices do not receive compensation for their services, but
7 they are entitled to the same travel pay and per diem as state officials and
8 employees.

9 * Sec. 4. CHAIRMAN AND VICE-CHAIRMAN. The members of the Advisory Com-
10 mittee on Judicial Sentencing Practices shall elect a chairman and vice-
11 chairman from the members of the committee.

12 * Sec. 5. MEETINGS. The Advisory Committee on Judicial Sentencing Prac-
13 tices shall meet at least or a every two months to carry out its duties under
14 this Act. The first meeting of the committee shall be convened at the call
15 of the chairman of the Alaska Judicial Council not later than 20 days
16 following appointment of the nine members of the committee.

17 * Sec. 6. DUTIES. The Advisory Committee on Judicial Sentencing Prac-
18 tices shall

19 (1) receive and review reports concerning sentencing, correction,
20 probation, and parole practices and procedures, with particular regard to the
21 treatment of individuals who are members of racial or cultural minorities;

22 (2) hold public hearings and meetings to determine whether racial
23 or cultural minorities are being unfairly disadvantaged in their involvement
24 with the criminal justice system; and

25 (3) complete a report with recommendations for the correction of
26 abuses and violations of the civil rights of racial or cultural minorities
27 that may be found to exist in the criminal justice system, furnishing copies
28 to the Judicial Council, the governor and the presiding officer of each house
29 of the legislature not later than March 1, 1980.

1 * Sec. 7. TERMINATION. The Advisory Committee on Judicial Sentencing
2 Practices terminates March 31, 1980.

3 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
4 dance with AS 01.10.070(c).

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