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Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

May 11, 1981

Mr. Tommy Nebl
Borough Clerk
Ketchikan Gateway Borough
344 Front Street
Ketchikan, Alaska 99901

Dear Mr. Nebl:

Thank you for your letter of May 6, 1981, and a copy of the resolution passed by the Ketchikan Gateway Borough Assembly.

Senate Bill 44 is currently in the Community and Regional Affairs Committee for hearing, with a further referral to the Judiciary Committee. By means of this letter, I am forwarding a copy of the resolution to the C&RA Chairman, Senator Don Gilman, for his review of the proposed legislation.

I am in accord with your position on this legislation and, in its present form, consider it ill-advised. Please feel free to submit any additional comments you wish through my office.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods

cc: Senator Don Gilman, Chairman
Committee on Community and
Regional Affairs



KETCHIKAN GATEWAY BOROUGH

344 FRONT STREET
KETCHIKAN, ALASKA 99901

RECEIVED

MAY 08 1981

May 6, 1981

The Honorable Patrick Rodey
Chairman, Judiciary Committee
State Senate
Juneau, Alaska 99811

Dear Senator Rodey:

Please find attached a copy of a resolution passed
by the Ketchikan Gateway Borough Assembly on
April 27, 1981 and forwarded to you and the Judiciary
Committee for your information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tommy Nebl", is written over the typed name.

Tommy Nebl
Borough Clerk

attachment

4/15/81tn

Voting "yes": Salazar
Johnson
Kouni
Emard
Seymour
Dupre
Laurance
Zastrow
Watt
Freeman
Voting "no": None
Absent: Bolling
6 4/7 votes required for
passage.
EFFECTIVE DATE: 4/27/81

K E T C H I K A N G A T E W A Y B O R O U G H

RESOLUTION NO. 411

A RESOLUTION OF THE ASSEMBLY OF THE
KETCHIKAN GATEWAY BOROUGH, ALASKA,
DECLARING ITS OPPOSITION TO AND
REQUESTING DEFEAT OF SENATE BILL 44
WHICH WOULD SHIFT THE COST OF PUBLIC
DEFENSE OF MUNICIPAL PROSECUTIONS OF
INDIGENTS TO THE MUNICIPALITY.

R E C I T A L S

A. Senate Bill 44 now pending before the Alaska Legislature would require municipalities to pay all expenses of public defense indigents charged with municipal violations. The State of Alaska currently and historically has paid for these expenses.

B. The limited financial resources of Alaskan municipalities, including the Ketchikan Gateway Borough, already bear the burden of providing the greatest portion of essential public services. Programs are being discussed and legislation is being proposed that would reduce the financial burden of municipal services by shifting costs to the State or by providing State subsidies.

C. The imposition upon municipalities of the additional cost of public defense of municipal criminal cases would create a conflict between the financial interest of the municipality to reduce public defense costs, while at the same time maintaining the interest of the municipality in fair, effective and just enforcement of municipal criminal laws.

NOW, THEREFORE, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, as follows:

Section 1. The Assembly is strongly opposed to and urges the defeat of Senate Bill 44 and any other measures which would attempt to shift the cost of public defense of indigents charged with violations of municipal ordinances from the State to municipalities.

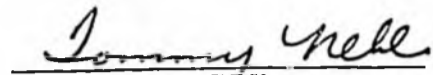
Section 2. The Clerk is hereby directed to send a copy of this resolution to the Community and Regional Affairs and Judiciary Committees of the State Senate.

Section 3. This resolution is effective immediately upon approval and passage.

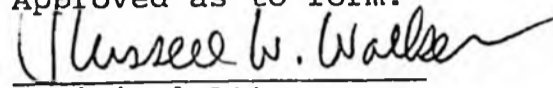
APPROVED AND ADOPTED this 27 day of April, 1981.


BOROUGH MAYOR

ATTEST:


BOROUGH CLERK

Approved as to form:


Municipal Attorney