

S

B

9

5

COMMITTEE REPORT

SENATE

1/31/85

FURTHER:

Date: 2/11/85

Mr. President:

The Committee on JUDICIARY has had SENATE BILL NO. 35

Requiring that certain legislative officers file statements of financial interests; 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  
 new title
- and recommends \_\_\_\_\_
- 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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CHAIRMAN

2.10.83 met w/ Robinson, Aid  
to Bennet

SB-95

ADDs folks to filing def  
they head major divisions w/  
heavy public obligations.

Title 24.20.050 Leg Finance

Leg Svcs. / Leg Info check duties  
under LAF

Resub Title 24.20.261 only auditor <sup>offices</sup>  
24.20.291 conflict of interest  
Fiscal Analysis  
24.20.221(b) Leg. Fin. Staff

Conflicts of Interest -

39.50.010 et al

SENATE COMMITTEE ON JUDICIARY  
MEETING MINUTES

February 14, 1983

The meeting was called to order at 1:33 p.m. by Senator Bill Ray, Chairman.

Members present were Senator Ray, Josephson, Eliason, Pettyjohn and Ziegler.

The following bills were assigned for sub-committee work:

SB 12i	Authorizing capital punishment, classifying murder in the first degree as a capital felony, and establishing sentencing procedures for capital felonies.	Ray
SJR 1	Relating to the proposal by Congress of an Equal Rights Amendment	Ray

The first order of business was Senate Bill 95 - Requiring that certain legislative officers file statements of financial interests. Senator Bennett, testified briefly stating that in the last two years as co-chairman of the Senate Finance Committee, he has found that both analysts and auditors of the legislative finance divisions have as much influence in the budgetary process, than perhaps any legislator who does not have a vote on the finance committee, these employees have as much influence on the general public, as does the director and the directors of divisions, of the Legislative Affairs Agency. Therefore, the legislative positions named in this bill to the Alaska's "Conflict of Interest" Statutes is appropriate.

Senator Josephson, stated he was in support of the bill and cited from AS 24.20.291, and suggested that this statute be the vehicle to be used to police the revisions in Senate Bill 95.

Senator Josephson moved that the bill be reported out of committee "Do Pass", Senator Ziegler, objected to the motion, requesting that the bill be passed out of committee with Individual Recommendations. Senator Ray, than asked that the bill be passed out of committee with individual recommendations.

Senator Ray, asked for a status report from the sub-committee chairmen on the bills which were priviously assigned to them in committee.

There being no further business the meeting was adjourned at 1:50 p.m.

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

February 7, 1983

TO: Senator Bill Ray  
Chairman, Senate Judiciary  
Committee

FROM: Gerald L. Wilkerson, CPA *GLW*  
Legislative Auditor

SUBJECT: Request for response to  
Senate Bill No. 95

In the spirit of accountability in government and to help insure public confidence in public officials, I feel subjecting of the Legislative Auditor position and other Legislative positions named in this bill to the Alaska's "Conflict of Interest" Statutes is appropriate and would result in little if any additional cost to the State.

M E M O R A N D U M

February 8, 1983

To: Senator Bill Ray  
From: John C. Gabrielli, Counsel  
Subject: SB 95 - Financial Disclosure

Mort Charney, Director of Legal Services, will send Fiscal Note.

Milt Parker, acting Director of Legislative Finance Division (ext. 3635) had the following things to say about the Bill:

Personally, he has no problems with it and generally favors it -- he doesn't want to testify or submit any written materials.

Disclosure of confidential information should be no problem because most Directors come up through Government service and don't have former private clients to worry about.

He suggests that we may want to wait to see if SCR 2 (Establishing a Special Committee on Legislative Reform) passes as this may be a matter they would want to take up.

He also suggests that we may want to extend the disclosure requirements to the Administrative Director level of the Judicial Branch of state government.

Gerald L. Wilkerson, C.R.A., Legislative Auditor (ext. 3830) said that he has no comment on the Bill, but he will probably send a note over to us about it.

You have already been in touch with the sponsor, Senator Bennett, who will testify.

Let me know what else you want done on this.

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTIETH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SENATE BILL NO. 05  
 Title An Act requiring that certain legislative officers file statements of  
Reported financial interests: a.d. Date 2-8-83  
 Requested by: Senate Judiciary Committee

II. FISCAL DETAIL

Agency Affected Legislature - Executive Branch - Municipalities  
 Program Category Affected General Government  
 BRU, Program, Or Subprogram(s) Affected Legislature - Executive Branch  
 (Note: If more than one budget component is affected, separate line-item  
 amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER (Specify Source)		-0-				

POSITIONS

None

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

It is estimated that no additional fiscal impact will result from this bill.

IV. DATE 2-8-83

PREPARED BY Wally H. Harrison, Director, Admin. Svcs.  
 AGENCY Legislative Affairs Agency

Original: Legislative Finance  
 cc: Budget and Management

PHONE 665-3850

Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/82)

REQUEST  
 Bill/Resolution No. SB 73  
 Title An Act classifying murder in the first degree as a capital felony,  
 Requested by Sen. Fischer Date 1/20/81  
and establishing sentencing procedures for capital felonies."

II. FISCAL DETAIL

Agency Affected Department of Law  
 Program Category Affected Administration of Justice  
 BRU, Program, or Subprogram(s) Affected Prosecution  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	Unknown					

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

Unknown

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill requires imposition of capital punishment for the crime of first degree murder in the presence of certain aggravating factors enumerated in section 12.55.180 of the bill. Obviously, should these factors be present, a most vigorous and lengthy defense can be expected from defendants' counsel. The amount of state resources required to prosecute capital cases is unquantifiable at this time. It is bound, however, to be considerable, both at the trial and appellate levels. Recent experience in other states suggests that very protracted and expensive litigation may be necessary to implement the provisions of the Act. The Territorial Legislature abolished the death penalty in Alaska in 1957, and we simply do not have any historic data upon which we can make an accurate projection.

*Richard I. Peques*

IV. DATE January 21, 1981 PREPARED BY Richard I. Peques, Dir. Admin. Service  
 AGENCY Department of Law  
 PHONE 465-3695  
 Original: Legislative Finance  
 Budget and Management  
 Prime Sponsor (First Legislator Named)

SB 95

Dept of Admin -  
AK Public Offices Commission

LEGISL AFFAIRS Agency -

won't take a position

~~Mr. Barker~~  
~~Mr. [unclear]~~

~~Received [unclear]~~

2/7 : 3795  
MILT BARKER, LEGISL FIN DIV, LEGISL  
AFFAIRS Agency

WILL ADVISE IF THEY WANT  
ANY INPUT

GERALD L WILKERSON 3830

NO COMMENT ON IT  
WILL SEND SOMETHING OVER, MAYBE

2/8 Murt Chorney will send FISCAL NOTE OVER

2/8 - MILT BARKER : GAVE ME HIS  
VIEWS ON IT (see memo to BR)

2/8 - ADVISED SPONSOR of hearing Date + Time