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STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
907-465-3000

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary

3/18/85

1:30 pm

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 101 (Jud)
 Title: Character Investigation and Fingerprinting
 Sponsor: Senate Judiciary
 Requestor: House Judiciary
 Date of Request: 2-12-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Paul Conger

Division: Administrative Services

Phone: 465-4338

Date: 2-12-85

Approved by Commissioner: *Michael Clemens*

Agency: Public Safety

Date: 2-14-85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER - CSSB 101 (Jud)am

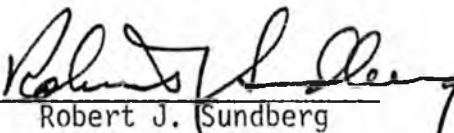
Support

February 8, 1985

CSSB 101 (Jud)am - "An Act relating to character investigation and fingerprinting of applicants to the Alaska Bar Association."

The legislation requires law enforcement officers to process fingerprints of applicants to the bar.

Utilization of the Automated Fingerprint Identification Network (AFIN) in the processing of these fingerprints will be both timely and the cost will be immaterial.


Robert J. Sundberg
Commissioner

BOARD OF GOVERNORS

ALASKA BAR ASSOCIATION

P.O. BOX 100278
ANCHORAGE, ALASKA 99510
AREA CODE 907/272-7459

RANDALL P. BURNS, EXECUTIVE DIRECTOR

STEPHEN J. VAN GOOR, DISCIPLINARY ADMINISTRATOR AND BAR COUNSEL



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January 23, 1985

L.A.A. by Judiciary Comm.

The Honorable M. Mike Miller, Chair
House Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Miller:

*14N 2 R 1005
Requested from LAA
1/29/85*

The Alaska Bar Association would like to ask your assistance in the enactment of legislation relating to the character investigation of applicants seeking admission to the Bar. Specifically, we are seeking enactment of legislation that would allow the Alaska Bar Association to utilize the services of the Federal Bureau of Investigation (FBI) in processing the fingerprint cards submitted by applicants for admission to the Bar. Currently the cards are submitted for processing only in Alaska. The Bar Association has approval as a secondary user of AJIS, and the Alaska Department of Public Safety routinely provides us information contained within AJIS on applicants. In most cases, however, this reflects only arrests, convictions, suspended imposition of sentences, etc., for in-state violations.

Prior to 1981 the Association's fingerprint cards were also processed by the FBI. FBI rules were subsequently changed to require statutory authority for the submission of fingerprint cards to the FBI and the dissemination of information by the FBI to bar associations. Therefore, I write to ask your support for and sponsorship of such legislation.

As you are probably aware, many applicants seeking admission to the Alaska Bar are not residents of this state and have not lived here for any significant period of time prior to attending law school. In addition, effective January 1, 1985, the Alaska Supreme Court approved amendments to the Bar Rules which allow

M. Mike Miller

- 2 -

January 23, 1985

for admission without examination (reciprocity). This will most likely bring more applicants from other states who have been out of school for a longer period of time.

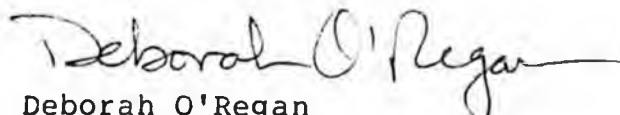
Having access to FBI records, which contain information submitted by all states, would enhance our character investigation and background check on bar applicants, and assist us in adding a further level of protection to the public.

I have taken the liberty of enclosing suggested language for such legislation. As the attached correspondence indicates, the FBI has approved similar language in other jurisdictions.

Any support you could give the Association in the submission of a short bill for this purpose would be greatly appreciated. Thank you for your time and consideration of this matter. Should you need additional information, please do not hesitate to contact me.

Sincerely,

ALASKA BAR ASSOCIATION



Deborah O'Regan
Acting Executive Director

Enclosure

cc: Members, Board of Governors

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

Section 1. It is the duty of all state, county and city law enforcement officers to aid the Board of Governors of the Alaska Bar Association in any investigation of the conduct of members of the bar, and the character and fitness of persons who apply for admission or reinstatement to the bar, and to furnish all available information about the members or persons.

Section 2. The Board of Governors of the Alaska Bar Association shall require that an applicant for admission to the Alaska Bar Association be fingerprinted to determine whether the applicant has a record of criminal convictions in this state or in other states. The information obtained as a result of the fingerprinting of an applicant shall be limited to the official use of the Board of Governors of the Alaska Bar Association in determining the character and fitness of the applicant for admission to the Alaska Bar Association.

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20537

Date August 26, 1983

TO: Mr. Randall Burns
Director of Alaska Bar Association
Post Office Box 100279
Anchorage, Alaska 99510

Pursuant to your telephone conversation with
Mr. Melvin D. Mercer on August 24, 1983, enclosed is
a copy of the Michigan Statute for Admission to the
State Bar. This Statute has been approved for sub-
mission of these fingerprint cards and dissemination
of Identification Division records.

Enclosure



Melvin D. Mercer, Jr.
Chief

James P. Gray
by James P. Gray
Paralegal
Recording Section

Identification Division
FBI

STATE BOARD OF LAW EXAMINERS
RECEIVED

APR 04 1980

DENNIS DONOHUE
ASSISTANT SECRETARY

P.A. 69 of 1980
Signed by the Governor
April 3, 1980 at
8:32 a.m.

STATE OF MICHIGAN
80TH LEGISLATURE
REGULAR SESSION OF 1980

Introduced by Rep. Clodfelter

ENROLLED HOUSE BILL No. 4948

AN ACT to amend section 949 of Act No. 236 of the Public Acts of 1961, entitled as amended "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," being section 600.949 of the Compiled Laws of 1970.

The People of the State of Michigan enact:

Section 1. Section 949 of Act No. 236 of the Public Acts of 1961, being section 600.949 of the Compiled Laws of 1970, is amended to read as follows:

Sec. 949. (1) It is the duty of all state, county, and city law enforcement officers to aid the state bar of Michigan and the board of law examiners in any investigation of the conduct of members of the bar, and the character and fitness of persons who apply for admission or reinstatement to the bar, and to furnish all available information about the members or persons.

(2) The board of law examiners shall require that an applicant for admission to the state bar of Michigan be fingerprinted to determine whether the applicant has a record of criminal convictions in this state or in other states. The information obtained as a result of the fingerprinting of an applicant shall be limited to the official use of the board of law examiners and the committee on character and fitness of the state bar of Michigan in determining the character and fitness of the applicant for admission to the state bar of Michigan. After approval of the applicant by the board of law examiners, all fingerprint records and cards shall be returned to the applicant or destroyed.

(3) After the effective date of this amendatory act, all fingerprint records and cards being held by the state bar of Michigan shall be destroyed.