

H B

3 2 2

PREVIOUS ACTION

HB 126: Read the first time 01/25/85 with Governor's Transmittal Letter; 2 fiscal notes with analysis in Supplement #8; Referred to L&C Rpt 6DP, Jud Rpt with Committee Substitute 5DP, Finance and Rules.

CSSB 101: Read the first time 01/25/85 and referred to Jud Rpt Committee Substitute 5DP, Rules Rpt Calendar today; Read the second time 02/01/85, Judiciary Committee Substitute adopted with unanimously consent.

ACTION NARRATIVE

TAPE #44, SIDE ONE
Recording
Number 000

The meeting was called to order at 1:31 p.m. by Chairman Miller. Present were Representatives Miller, Taylor, Phillips, and Gruenberg. Representative Pettyjohn came later. Representatives Sund and Clocksin were absent.

The Chairman introduces CSSB 101.

Number 018

Gordon Evans, representing the Alaska Bar Association, is introduced.

Representative Pettyjohn arrives at 1:33 p.m.

Mr . Evans testifies that this legislation would allow the Alaska Bar Association to utilize the services of the FBI in processing the fingerprint cards that are submitted by applicants to the Alaska Bar after July 1985. Currently the cards are submitted for processing only in Alaska. The Alaska Bar Association has approval as a secondary user of aegis to have the Alaska State Troopers do the processing for them. The information routinely only reflects in-state violations. Prior to 1981 the Bar Association had used the FBI but at that time the FBI had a rule change requiring statutory authority to provide this information. Many applicants for the Bar are out-of-state residents. Effective January 1 of this year the Alaska Supreme Court approved an amendment to the Bar rules which allow for admission without...

examination. Having access to FBI records which contain information from all states would enhance character investigation and background checks on Bar applicants and assist in adding a further level of protection to the public.

He requests an amendment on page 1, line 24, of the bill where it currently says "the board of governor's may use the information obtained from the fingerprinting only in its official determination of the character and fitness of the applicant for admission to the Alaska Bar Association." Would like to delete the period after "Association" and add "or in a disciplinary investigation proceeding."

Representative Taylor moves the amendment. The Chair objects in order to give Mr. Evans time for more background.

Mr. Evans says the Bar council has used the fingerprint card on only one occasion. A crime was committed in Alaska by an attorney and the fingerprint card was used to send to a second jurisdiction where this attorney was also admitted. It was discovered the attorney had been convicted of a felony there.

Number 109

Representative Gruenberg asks Mr. Evans to look at section 3.

Rep. Gruenberg feels it should be amended to state "and to disciplinary proceedings taking place after the effective date of this Act." Mr. Evans responds that AS.08.08.137 applies on certain dates so as long as that is amended it would be all right. Discussion follows

Representative Pettyjohn says he thinks a title change is necessary. The Chairman says it would be possible to submit a concurrent resolution.

Number 155

Hayden Kaden, staff council, says it is an act relating to character investigation of applicants. Discussion follows.

Number 186

Representative Gruenberg feels section 3 must be amended because AS. 08.08.137 applies only to applicants. He moves that

the amendment be amended. Must amend Section 3, line 2, strike the word "and" move the period, add a coma, "and to disciplinary investigation proceedings occurring after the effective date of this Act.

- Number 234 There is no objection to the amendment to the amendment so it is before them.
- Number 241 Representative Pettyjohn asks if they really want a concurrent resolution for what he considers a minor amendment.
- Number 254 Representative Phillips opposes concurrent resolutions unless it is an emergency situation. Discussion follows.
- Mr. Evans says the Bar Association can live with the bill as it is. Representative Gruenberg feels the amendment is important. Suggests a Judiciary Committee bill. Discussion follows.
- Number 297 Representative Pettyjohn suggests introducing a bill to adopt the amendment.
- Representative Gruenberg requests that the Judiciary Committee introduce a second bill covering only the amendment here
- NUmber 324 Representative Taylor moves to withdraw his amendment.
- Number 326 Representative Pettyjohn moves that the bill be moved out with individual recommendations. There are no objections and the motion is adopted.
- Number 342 The Chairman introduces HB 126. Larry Carroll, Senior Securities Examiner, Department of Commerce and Economic Development is introduced along with Jeff Bush of the Department of Law. This bill attempts to amend the Alaska Securities Act to provide authority for the Division to regulate the offer and sale, primarily the offer and sale of oil and gas lease properties where the lease-held interest is in ALaska, but the offer is taking place between parties located outside the state of Alaska.
- Representative Phillips says
- The problem being dealt with here is the

Read the first time 04/22/85 and referred to Jud, Fin and Rules; no previous committee action to record; fiscal note in Supplement No. 63; fiscal note zero. Today Jud reported out with CS 5DP, 2NR.

ACTION NARRATIVE

TAPE #102 SIDE ONE
Recording
Number 000

Chairman Mike Miller (Juneau) called the meeting to order at 1:41 p.m. Present were Representatives Pettyjohn, Phillips, Miller, Gruenberg, Sund and Taylor. Representative Clocksin arrived later. Chairman Miller announced that there were three bills before the committee. He thought two could be handled expeditiously.

Number 020

Chairman Miller introduced HB 322 for consideration. He reminded the committee of testimony received during the hearing on sunset for the Alaska Bar Association Board of governors. This language was agreed to during that hearing, but a title change would be necessary in a Senate bill. The committee decided to pass that bill out and remedy the problem in a new bill. He asked for a motion to move the bill.

Number 031

Representative Gruenberg moved that HB 322 be passed out with individual recommendations. There were no objections and so the bill passed out of committee. All members signed "do pass".

Number 040

Chairman Miller introduced HB 393 for consideration by members. Chairman Miller stated that this bill was drafted because after the committee had heard HB 172 by Duncan on the rights of physically and mentally disabled. The committee had removed items from that bill which had a fiscal impact and had a new bill drafted including those impacts. The intent had been to avoid delaying HB 172.

Number 049

Representative Gruenberg distributed a sectional analysis and discussed the changes. Section 1 provides that blind and deaf individuals can serve on juries. The court fiscal note is to cover the cost of providing interpreters and readers to assist

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 322
 Title: "...use of information from fingerprints of members..AK Bar Assoc.
 Sponsor: House Judiciary
 Requestor: House Judiciary
 Date of Request: 5/1/85

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-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Kathy Niles
 Division: Administrative Services

Phone: 465-4336
 Date: 5/1/85

Approved by Commissioner: [Signature]
 Agency: Public Safety

Date: 5/1/85

Distribution (by Agency preparing fiscal note):

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

7/1/84

