

SCR

23

HOUSE COMMITTEE REPORT

(7)

Date referred: 4/13/87

FURTHER REFERRALS:

DATE: 5-4-87

The Judiciary Committee has considered CSSCR 23 (Jud)

Requesting the Governor to consider appointing a peace officer nominated by the Alaska Peace Officers Association to serve on the Alaska Judicial Council.

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES HERE FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published 3/24/87 (see)
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

Vice-Chairman's signature



Alaska State Legislature

SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:
FINANCE
RESOURCES
BUDGET AND AUDIT

May 4, 1987

TO: House Judiciary Committee

From: Senator Jim Duncan

Subj: SCR 23

SCR 23, requests that the Governor appoint a peace officer nominated by the Alaska Peace Officer Association (APOA) to serve on the Alaska Judicial Council.

Article 4, section 8 of the Alaska constitution spells out how the Alaska Judicial Council is set up.

APOA is the largest law enforcement body in Alaska yet is not represented on the Judicial Council.

This resolution is offered, to allow the Governor to appoint a peace officer to the Judicial Council, the only other way is to amend the constitution. This is the best approach to take care of this problem, and allow the APOA the opportunity to be represented on the Alaska Judicial Council.

I would respectfully request that this committee give favorable consideration to SCR 23.



alaska judicial council

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EXECUTIVE DIRECTOR
Harold M. Brown

May 4, 1987

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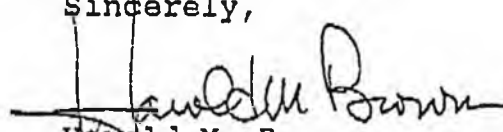
Dear Representative Sund:

We have been notified that SCR 23 will be heard by House Judiciary Committee on Monday, May 4. The Resolution requests that the Governor consider appointing a peace officer to fill the vacant non-attorney position on the Judicial Council. The Judicial Council has discussed it briefly and neither supports nor opposes the resolution. However, we wish to point out that since 1976 police officers have been polled directly by the Council when the retention of a sitting judge was being considered. Police officers have had, and will continue to have, the opportunity to participate in the Council's decision-making process.

There are three non-attorney members on the Judicial Council. Obviously, not every interest group can have a representative on the Council and it seems to us that the proper focus is or should be on the general qualifications of the particular individual and not his or her occupation. Further, Article 4, Section 8 of the Constitution of the State of Alaska specifically provides that appointments to the Judicial Council should be made "without regard to political affiliation."

Please let us know if you have any further questions regarding this legislation.

Sincerely,


Harold M. Brown
Executive Director

HMB/jmz/053