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HOUSE COMMITTEE REPORT

(7)

Date Referred: March 21, 1990

FURTHER REFERRALS:

Date of Committee Action: 4/20/90

The JUDICIARY Committee considered:

SB 498

SENATE BILL NO. 498

POST-CONVICTION RELIEF/DISTRICT COURTS

"An Act amending the jurisdiction of the district court to provide post-conviction relief."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [X] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Date/Dept)

- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

- [] fiscal note(s) _____
- [X] zero fiscal note(s) 2/21/90 (w/ System)
- [] zero fn/analysis _____

SIGNING DO PASS:

SIGNING: (Check approp. column)

Do Not Pass No Rec Amend

<i>[Signature]</i> Greenberg	<i>[Signature]</i> Miller			
<i>[Signature]</i> Groll	<i>[Signature]</i> Davis			
	<i>[Signature]</i> Ellis			

[Signature]
Chairman's Signature

BY THE JUDICIARY COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 498

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the jurisdiction of the district
7 court to provide post-conviction relief."

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

9 * Section 1. AS 22.15.060(a) is amended to read:

10 (a) The district court has jurisdiction

11 (1) of the following crimes:

12 (A) [(1)] a misdemeanor, unless otherwise provided in
13 this chapter;

14 (B) [(2)] a violation of an ordinance of a political
15 subdivision;

16 (2) to provide post-conviction relief under the Alaska
17 Rules of Criminal Procedure, if the conviction occurred in the dis-
18 trict court.

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Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 274-8611

HAND-DELIVERED

April 20, 1990

Representative Peter Goll and
Representative Max F. Gruenberg, Jr.
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

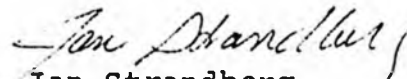
Re: SB 498 - District Court Post-Conviction Relief

Dear Representatives Goll and Gruenberg:

Thank you for scheduling this bill for hearing. Its purpose is to give the district courts jurisdiction to hear post-conviction relief matters on misdemeanor cases when the trial was held in the district court. The court of appeals has determined that the district courts do not have jurisdiction over these matters because the state is generally the defendant and the district courts have no jurisdiction over actions in which the state is a defendant under AS 22.15.151(2).

I am happy to answer questions you may have about this bill.

Sincerely,


Jan Strandberg
Staff Attorney

FISCAL NOTE

REQUEST:

Revision Date:	Agency Affected:	Alaska Court System
Title: An Act amending the jurisdiction of the district court... post conviction relief	BRU:	Trial Courts
Sponsor: Judiciary Committee	Components:	
Requestor:		

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Jan Strandberg, General Counsel
 Division: Alaska Court System
 Approved by: *Arthur H. Snowden, II* for
 Agency: Alaska Court System

Phone: 264-8228
 Date: 02/21/90
 Date: 02/21/90

Distribution (by preparer):
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