

HB

1411



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

300 K Street
Anchorage, AK 99501
(907) 264-8228

February 25, 1991

The Honorable Dave Donley
Chairman, House Judiciary Committee
P.O. Box V
Juneau, Alaska 99811

Dear Representative Donley:

Thank you for scheduling a hearing on House Bill 141, relating to the introduction of bills by the Alaska Supreme Court.

At the present time, the judicial branch of government has no explicit right to have legislation placed before the legislature for consideration. This situation is in contrast to that facing the executive branch; article III, section 18 of the Alaska Constitution authorizes the governor to "recommend the measures he considers necessary." This gubernatorial right to introduce legislation is recognized in AS 24.08.060(b), which describes the form and manner of introduction of such legislation.

Each session, in keeping with its constitutional mandate to administer the judicial branch, the supreme court approves legislation for submission to the legislature. Over the years, such legislation has been introduced as a courtesy by individual legislators or committees who are approached for assistance. However, even when a legislator or committee has agreed to provide this service, the Division of Legal Services has ruled that the legislation may not be introduced "by Request of the Alaska Supreme Court."

HB 141 resolves this situation by giving the supreme court the ability to introduce legislation similar to the governor's existing authority; one significant difference is that as drafted, HB 141 does not give the court the governor's apparent power to introduce resolutions, including resolutions proposing amendments to the constitution. Legislation would be inscribed

The Honorable Dave Donley
February 25, 1991
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"Rules Committee by Request of the Alaska Supreme Court." Compared with the current system of introduction, this would better inform legislators and the public who was behind a particular measure.

Thank you for your courtesy in this matter. Please feel free to contact me if you have any questions or comments.

Very truly yours,



C.S. Christensen III
Staff Counsel

CSC:bh

FISCAL NOTE

Bill No. HB 141

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to bills of the BRU: All
supreme court Components: _____
 Sponsor: _____
 Requestor: Judiciary COMPONENT SERIAL NO. 000 | 000 | 000 | 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *C. S. Christensen III* Phone: 264-8228
 Division: Alaska Court System Date: 02/25/91

Approved by: Arthur H. Snowden, II, Administrative Director *Stephanie Cole, for*
 Agency: Alaska Court System Date: 02/25/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 19, 1991

FURTHER REFERRALS:

Rules

Date of Committee Action: 2-25-91

The JUDICIARY Committee considered:

HB 141

HOUSE BILL NO. 141

INTRODUCTION OF BILLS BY SUPREME COURT

"An Act relating to introduction of bills by the supreme court; and providing for an effective date."

RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title

[] have attached amendments(s)

do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

[] fiscal impact _____

[] fiscal note(s) _____

zero fiscal note AK. COVA SYSTEM, LAA

[] zero fiscal note(s) _____

SIGNING DO PASS:

SIGNING C HER RECOMMENDATIONS:

	Check appropriate column:	Do Not Pass	No Rec	Amend
<i>Dave Douley</i>				
<i>Kevin Pad Partell -</i>				
<i>Mark ...</i>				
<i>W. ...</i>				

Dave Douley
 Chairman's Signature

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO: HB 141

Revision Date: _____
 Title: "An Act relating to introduction of bills
by the supreme court...
 Sponsor: House Judiciary
 Requestor: House Judiciary by request

Department Affected: Legislative Affairs Agency
 BRU: Legislative Council
 Component: Session Expenses

COMPONENT SERIAL NO: 782

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director
 Division: Administrative Services

Pamela A. Stoops

Phone: 465-3850
 Date: 2/25/91

Approved By: Warren W. Endicott, Executive Director
 Agency: Legislative Affairs Agency

Warren W. Endicott

Date: 2/25/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).