

HB

146

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 10, 1993

FURTHER REFERRALS:

Date of Committee Action: 2/15/93

The FINANCE Committee considered:

HB 146

HOUSE BILL NO. 146

APPROP: REAPPORTIONMENT LITIGATION COSTS

"An Act making a special appropriation to the Department of Law to pay a judgment entered into in the case of Southeast Conference v. Hickel; 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 _____

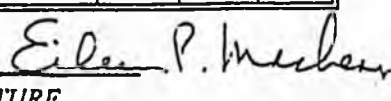
fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Eileen P. McKeon ^{MACLEAN}	✓	Terry Martin ^{MARTIN}		✓	
Ronald J. Larson ^{LARSON}	X	Mark Hanley ^{HANLEY}		X	
Mike Navarre ^{NAVARRÉ}	X	Sean Parnell ^{PARNELL}		X	
Richard Foster ^{FOSTER}	*	Tom Therrault ^{Therrault}		X	


 CHAIRMAN'S SIGNATURE
 Larson


 Eileen P. McKeon
 MACLEAN

FEB 08 1993

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

Clerk of Court

By MA _____ D

1 SOUTHEAST CONFERENCE, a)
2 a non-profit Alaska)
3 corporation, et al.,)
4 Plaintiffs,)
5 vs.)
6 WALTER J. HICKEL, Governor of)
7 the State of Alaska, et al.,)
8 Defendants.)
9 _____)

Case No. 1JU-91-1608 Civil

MEMORANDUM AND ORDER

11 The court in its decision of May 11, 1992 granted plaintiffs
12 the right to recover costs and attorney fees pursuant to Supreme
13 Court decisions and Civil Rule 82.

14 On November 25th the court issued a decision defining the
15 costs and fees that would be allowed and asked for further
16 submittal in accordance with that order. All plaintiffs have made
17 additional submittals, the state has objected to various costs and
18 some plaintiffs have replied.

19 The court does not allow as costs those expenses paid to
20 persons for development of an interim plan. The court views this
21 expense as in the nature of expert compensation. The court does
22 allow the expense of preparing attorney fees motions. The court
23 excluded all time spent with the press or doing press releases.
24 The court excluded time that was apparently appellate related with
25

respect to plaintiff Demientieff. The Alaska Democratic Party cost bill was reduced by car rental, office space and shared costs.

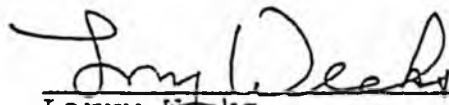
The court has reviewed all those pleadings and awards costs and attorney fees as follows:

<u>Plaintiff</u>	<u>Attorney Fees Awarded</u>	<u>Costs Awarded</u>	<u>Total</u>
Leavitt	\$184,439.44	\$40,306.77	\$224,746.21
ADP	91,046.00	21,086.30	112,132.30
Mat-Su	212,831.00	59,597.26	272,428.26
SEC	229,703.33	68,125.78	297,829. 08 ¹¹
Demientieff	54,793.75	13,014.73	67,808.48

The court recognizes that the plaintiffs have had actual costs and attorney fees considerably exceeding these amounts. Despite the rubric that public interest litigants receive "actual costs and attorney fees" these parties will not be reimbursed for all expenditures they have made under the rules as interpreted by this court.

Interest shall accrue at the rate of 10 1/2% from the 25th of June 1992 until paid in full on the above amounts.

Dated February 6, 1993



Larry Weeks
Superior Court Judge

The undersigned certifies that on February 8, 1993, copies of the foregoing were sent by U.S. mail to:

Myra M. Munson, Esq.
SONOSKY, CHAMBERS, SACHSE,
MILLER & MUNSON
229 Fourth Street
Juneau, AK 99801
(by hand & US mail)

Donald J. Simon, Esq.
SONOSKY, CHAMBERS, SACHSE,
& ENDERSON
1250 Eye Street, N.W. Suite 1000
Washington, D.C. 20005

David C. Crosby, Esq.
WICKWIRE, GREENE, CROSBY
& STEWART
318 4th Street
Juneau, AK 99801
(by hand & US mail)

Michael J. Walleri, Esq.
TANANA CHIEFS CONFERENCE, INC.
122 1st Avenue
Fairbanks, AK 99701
(via FAX & US mail)

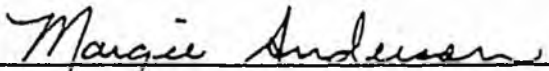
Thomas M. Daniel, Esq.
PERKINS COIE
1029 West Third Ave., Suite 300
Anchorage, AK 99501
(via FAX & US mail)

Mary A. Lundquist, Esq.
Attorney General Office
1031 W. 4th, Suite 200
Anchorage, AK 99501

Don Clocksin, Esq.
WAGSTAFF, POPE & CLOCKSIN
912 West 6th Avenue
Anchorage, AK 99501
(via FAX & US mail)

and placed in the court box of:

Virginia Ragle, Esq.
Attorney General Office
P.O. Box K
Juneau, AK 99811
(& via hand)


Margie Anderson
Secretary to Judge Weeks