

HB

120

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 3, 1993

FURTHER REFERRALS:

Date of Committee Action: 2-22-93

The JUDICIARY Committee considered:

HB 120

HOUSE BILL NO. 120

JURY LIST PREPARATION

"An Act changing the date by which jury lists must be prepared; requiring the use of the list of the current year's permanent fund dividend applicants in preparing the jury list; and changing the date by which state departments must submit certain lists to the Alaska Court System."

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) _____

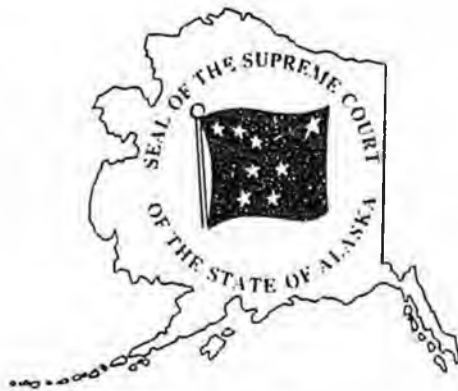
zero fiscal note Alaska Court System

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Brian D. Porter</i>	✓	<i>Cliff Dandee</i>		✓	
<i>Gail Phillips</i>	✓				
<i>Tom Woodhouse</i>	✓				
<i>Arnette James</i>					
<i>Pete Ford</i>	✓				

Brian D. Porter

CHAIRMAN'S SIGNATURE



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

January 12, 1993

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

Representative Brian Porter, Chairman
House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Attached you will find copies of three pieces of court system legislation which were introduced during the Seventeenth Legislature, but were not passed into law. We ask that the Judiciary Committee reintroduce these bills on behalf of the supreme court.

1. CSHB 93 (HES), relating to the findings and recommendations of a neutral mediator when awarding shared custody.

HB 122
During the Seventeenth Legislature, a bill containing CSHB 93 (HES) passed the House and died in the Senate Rules Committee. The statutory change which it proposed was first made in the June, 1990 report of the Task Force on Mediation. This task force was formed by Chief Justice Matthews in December, 1988 in response to an instruction from the Fifteenth Legislature.

Currently, AS 25.20.090 reads in pertinent part:

In determining whether to award shared custody of a child the court shall consider

- (7) any findings and recommendations of a neutral mediator;

After study, the task force concluded that this statute as written endangers the

Representative Brian Porter
January 12, 1993
Page 2

mediation process and runs contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a recommendation about the resolution of a dispute. To correct this problem, CSHB 93 (HES) proposed deleting from the statute the requirement that the findings and recommendations of a neutral mediator be considered by the court.

2. HB 141, relating to the introduction of bills by the supreme court.

HB 121
During the Seventeenth Legislature, this bill passed the House 39 - 0 and died in the Senate Judiciary Committee. It would have given the supreme court the authority to introduce legislation, similar to the authority enjoyed by the governor. Bills would be introduced with the inscription "Rules Committee by Request of the Alaska Supreme Court."

3. HB 172 Relating to the preparation of the jury list.

HB 120
This bill passed the House 34 - 0, and died in the Senate Judiciary Committee. At the present time, AS 09.20.05C instructs the administrative director to prepare a list of persons qualified for jury service by March 15 of each year. It is compiled from the list of applicants for the permanent fund dividend, which must be submitted by the Department of Revenue to the court system by the preceding January 15.

Putting the jury year on a calendar year basis would allow more efficient administration. Accordingly, HB 171 proposed requiring the administrative director to prepare the jury list by November 30, from a list submitted by the Department of Revenue no later than September 30.

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

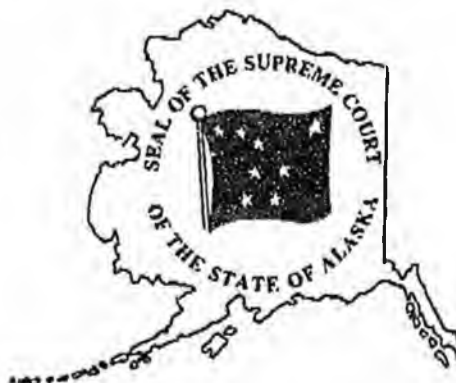
Very truly yours,



C. S. Christensen III
Staff Counsel

CSC:bh

Attachments



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

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

February 19, 1993

The Honorable Brian Porter
Chairman, House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Thank you for scheduling House Bill 120, relating to the preparation of the jury list. As you will recall, the Judiciary Committee introduced HB 120 at the request of the supreme court. An identical bill passed the House on a vote of 34 - 0 during the Seventeenth Legislature, but was not acted upon by the Senate.

At the present time, the administrative director of the court system is charged by AS 09.20.050 with preparing a list of persons qualified for jury service. This list must be prepared by March 15 of each year. It is compiled from a list of applicants for the permanent fund dividend, which must be submitted by the Department of Revenue to the court system by the preceding January 15.

It has been determined that jury service could be administered more efficiently if the jury year corresponded to the calendar year. Accordingly, HB 120 requires the administrative director to prepare a jury list by November 30, from a list submitted by the Department of Revenue no later than September 30. This will enable a new jury list to be used beginning on January 1 of each year. The bill has no fiscal impact, and the Department of Revenue has advised us that the dividend applicant list is available for distribution by September 30.

Thank you for your courtesy. 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

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill No. HB 120

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act changing the date by which jury BRU: Trial Courts
lists must be prepared Components: _____
 Sponsor: House Judiciary
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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						
---------	--	--	--	--	--	--

REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/PROGRAM RECEIPTS						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: None

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Division: Alaska Court System Date: 02/18/93

Approved by: Arthur H. Snowden, II, Administrative Director *AS* Date: 02/18/93
 Agency: Alaska Court System

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

Rep. Brian Porter, Chairman

House Judiciary Committee

Date: February 22, 1993

Place: Capitol Room 120

HB 100 Prosecution of Juvenile Felons
HJR 15 100-Day Session Limit

Subject of Meeting: HB 120 Jury List Preparation
HB 151 Payment by Indigents for Legal Services

Please Print Name	Representing	Business/Personal Mailing Address	Zip	(H) Phone	(W) Phone	Do you Want to Testify?	Which Subject/ Which Bill?
✓ Randall Hines	HSS	P.O. Box 110630	99511	9-1410	465-3187	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 100
✓ SHARLE GOW	ALASKA WOMEN'S LOBBY	P.O. Box 22156 JND	99802		463-6744	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 100
✓ Jeff Ann Lucas	DPS		99511	5-4	465-4322	<i>If questions</i> <input checked="" type="radio"/> Y <input checked="" type="radio"/> N	HB 100
✓ Tom Williams	DOR PFD Division	P.O. Box 110460	99511-0460		465 2323	<i>If questions</i> <input checked="" type="radio"/> Y <input type="radio"/> N	HB 120
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	

Rep. Brian Porter, Chairman

House Judiciary Committee

Date: February 22, 1993

Place: Capitol Room 120

HB 100 Prosecution of Juvenile Felons
HJR 15 100-Day Session Limit

Subject of Meeting: HB 120 Jury List Preparation
HB 151 Payment by Indigents for Legal Services

Please Print Name	Representing	Business/Personal Mailing Address	Zip	(H) Phone	(W) Phone	Do you Want to Testify?	Which Subject/ Which Bill?
CHRIS CHRISTENSEN	MUSIC COURT SYSTEM	303 K ST. ANCH	99501		264-8228	(Y) N	HB 120 HB 151
DEAN GUANEZI	LAW	BOX KC TUREAU			3428	Y N	HB 100 if questions
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	