



# LAWS OF ALASKA

1976

Source

SCS CSHB 694 (Finance)

Chapter No.

114

## AN ACT

Creating a code revision commission; and providing for an effective date.

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

\* Section 1. AS 24.20 is amended by adding a new section to read:

Sec. 24.20.075. ALASKA CODE COMMISSION. (a) The Code Revision Commission is established as a permanent commission of the legislature.

(b) The commission consists of two legislators, one from each house, appointed by the presiding officer; one public member appointed by the governor; a designee of the chief justice of the supreme court; and a designee of the Alaska Bar Association appointed by the board of governors of the association. Legislative members serve at the pleasure of the presiding officer, and appointed members serve at the pleasure of the appointing authority. Members receive the standard per diem for board members, or the regular legislative per diem if they are legislators, for days spent on commission business. The commission selects its chairman and vice-chairman. The director of legal services for the Legislative Affairs Agency, or his designee, serves as executive secretary for the commission.

(c) The commission shall

(1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law;

(2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the

Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch;

(3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations, and individuals as to areas of law needing review and remedy;

(4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

(d) The commission may

(1) hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business;

(2) establish one or more subcommissions to assist it in the performance of its duties.

(e) The staff of the Legislative Affairs Agency serves as staff for the commission. Subject to appropriation for the purpose, the commission may request the agency to contract with other agencies or persons for the performance of necessary services.

(f) The commission shall submit its reports and recommendations, and draft legislation as to revision of law, to the Legislative Council and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court.

(g) All branches of state government shall provide information and documents requested by the commission necessary to the accomplishment of its work.

(h) The commission shall make a formal request to the legislative council for funds it considers necessary for the per diem, travel, and contractual expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedures required by the Legislative Affairs Agency. The commission chairman shall approve all expenditure documents.

\* Sec. 2. CRIMINAL LAW REVISION SUBCOMMISSION. (a) There is established as a subcommission of the Code Revision Commission the Criminal Law Revision Subcommittee.

(b) The subcommission established in (a) of this section is composed of the following

(1) the chairman of the judiciary committee of the state house of representatives or his designee from that committee and the chairman of the judiciary committee of the state senate or his designee from that committee;

(2) the attorney general, or his designee;

(3) the commissioner of public safety, or his designee;

(4) the director of the division of corrections, Department of Health and Social Services, or his designee;

(5) a judge of the superior court appointed by the chief justice;

(6) a judge of the district court appointed by the chief justice;

(7) the public defender, or his designee;

(8) one mayor or his designee, from a municipality, designated by the council;

(9) one person, representative of rural Alaska, designated by the council;

(10) two attorneys experienced in the practice of criminal law appointed by the Board of Governors of the Alaska Bar Association;

(11) two representatives of the general public appointed by the Legislative Council.

(c) An appointing authority or a designated member of the subcommission may name an alternate to serve in his stead when the member is unable to attend a meeting.

(d) Members of the subcommission established in (a) of this section serve ex officio or at the pleasure of the appointing authority.

(e) Public members receive no salary but are entitled to per diem and travel expenses authorized by law for other boards and commissions.

(f) The subcommission shall

(1) advise the governor and the legislature, through the Code Revision Commission, on necessary and appropriate revision of the criminal law;

(2) prepare a comprehensive revision of the state criminal laws including but not limited to necessary substantive and topical revisions of crimes, criminal procedure, sentencing, and parole and probation of offenders, for submission to the legislature;

(3) conduct studies of criminal justice practices and procedures;

(4) subject to approval of the Code Revision Commission, receive and expend grants and appropriations from private and governmental sources for the purpose of carrying out its duties under this section;

(5) request the Legislative Affairs Agency, through the Code Revision Commission, to contract with other agencies or persons for the performance of necessary services;

(6) submit a report with recommendations and draft legislation through the Code Revision Commission to the council

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concerning substantive or topical revisions to the criminal laws before December 1, 1977.

(g) The subcommission shall select a chairman and vice-chairman from among its members.

(h) The subcommission may hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business.

\* Sec. 3. The subcommission established by sec. 2 of this Act expires January 15, 1978.

\* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.070(c).

Approved by governor: June 3, 1976  
Actual effective date: June 4, 1976