

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE GARA

TO: CSHB 258(FIN), Draft Version "L"

1 Page 1, line 6:

2 Delete "**for the state and for**"

3 Insert "**from class action lawsuits and barring a claim for punitive damages**
4 **against the state and**"

5

6 Page 1, lines 7 - 8:

7 Delete "**or claims arising in connection with**"

8 Insert "**related to**"

9

10 Page 1, line 10, following "**Facilities;**":

11 Insert "**amending Rule 23, Alaska Rules of Civil Procedure;**"

12

13 Page 3, line 9:

14 Delete "liability"

15 Insert "class action lawsuits and claims for punitive damages"

16

17 Page 3, line 12:

18 Delete "civil immunity"

19 Insert "protection from a class action lawsuit and bars a claim for punitive damages"

20

21 Page 4, line 3:

22 Delete "civil"

23 Insert "class"

1

2 Page 4, lines 3 - 4:

3 Delete "damages or costs"

4 Insert "punitive damages"

5

6 Page 4, line 22:

7 Delete "civil"

8 Insert "class"

9 Following "claim":

10 Insert "for punitive damages"

11

12 Page 4, line 30:

13 Delete "civil"

14 Insert "class"

15 Delete "damages or costs"

16 Insert "punitive damages"

17

18 Page 5, line 13:

19 Delete "immunity in a civil action"

20 Insert "the immunity provided"

21

22 Page 12, following line 22:

23 Insert a new bill section to read:

24 **"* Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 **INDIRECT COURT RULE CHANGE.** AS 09.65.245, added by sec. 2 of this Act, has
27 the effect of amending Rule 23, Alaska Rules of Civil Procedure, by prohibiting a class action
28 lawsuit against a state or private party in certain circumstances."

29

30 Renumber the following bill sections accordingly.

31

1 Page 13, line 11:

2 Delete "sec. 6"

3 Insert "sec. 7"

4

5 Page 14, line 3:

6 Delete "sec. 6"

7 Insert "sec. 7"

8

9 Page 14, line 14:

10 Delete "sec. 5"

11 Insert "sec. 6"

12

13 Page 14, following line 14:

14 Insert a new bill section to read:

15 **"* Sec. 8.** The uncoded law of the State of Alaska is amended by adding a new section to
16 read:

17 **CONDITIONAL EFFECT.** Sections 1 - 3 of this Act, AS 44.42.400(b) and (c), and
18 AS 44.42.410, added by sec. 4 of this Act, and sec. 5 of this Act take effect only if sec. 5 of
19 this Act receives the two-thirds majority vote of each house required by art. IV, sec. 15,
20 Constitution of the State of Alaska."

21

22 Renumber the following bill section accordingly.