Adopted

Rep. Wilson

AMENDMENT #1

As amended

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(FIN)

Adopted
conceptual Amendment
by Gara
insert
"of excess funds"

1   Page 2, line 5, following "INTENT.":

2   Insert "(a)"

3

4   Page 2, following line 8:

5   Insert a new subsection to read:

6   "(b)   It is the intent of the legislature that reinvestment be made into providing

7   additional law enforcement resources in communities throughout the state."

Amendment # 2

AS Amended

AMENDMENT #2

OFFERED IN THE HOUSE   BY REPRESENTATIVE WILSON

TO: HCS CSSSSB 91(FIN), Draft Version "T"

1   Page 1, line 1, following "**Act**":

2   Insert "**relating to civil in rem forfeiture actions;**"

3

4   Page 2, following line 7:

5   Insert a new bill section to read:

6   "*** Sec. 2.** AS 09.55 is amended by adding a new section to read:

7   **Article 10. Civil in rem Forfeiture.**

8   **Sec. 09.55.700. In rem civil forfeiture actions.** Common law civil in rem

9   forfeiture actions are abolished if used instead of a criminal proceeding."

10

11   Renumber the following bill sections accordingly.

12

13   Page 106, line 3:

14   Delete "sec. 52"

15   Insert "sec. 53"

16

17   Page 106, line 9:

18   Delete "sec. 68"

19   Insert "sec. 69"

20

21   Page 106, line 12:

22   Delete "sec. 68"

23   Insert "sec. 69"

1

2 Page 106, line 13:

3   Delete "sec. 69"

4   Insert "sec. 70"

5

6 Page 106, line 16:

7   Delete "sec. 84"

8   Insert "sec. 85"

9

10 Page 106, line 19:

11   Delete "sec. 103"

12   Insert "sec. 104"

13

14 Page 107, line 31:

15   Delete "sec. 4"

16   Insert "sec. 5"

17

18 Page 108, line 1:

19   Delete "sec. 5"

20   Insert "sec. 6"

21

22 Page 108, line 2:

23   Delete "sec. 6"

24   Insert "sec. 7"

25

26 Page 108, line 3:

27   Delete "sec. 7"

28   Insert "sec. 8"

29

30 Page 108, line 4:

31   Delete "sec. 8"

1   Insert "sec. 9"

2

3   Page 108, line 5:

4   Delete "sec. 9"

5   Insert "sec. 10"

6

7   Page 108, line 6:

8   Delete "sec. 10"

9   Insert "sec. 11"

10

11   Page 108, line 7:

12   Delete "sec. 11"

13   Insert "sec. 12"

14

15   Page 108, line 8:

16   Delete "sec. 12"

17   Insert "sec. 13"

18

19   Page 108, line 9:

20   Delete "sec. 13"

21   Insert "sec. 14"

22

23   Page 108, line 10:

24   Delete "sec. 14"

25   Insert "sec. 15"

26

27   Page 108, line 11:

28   Delete "sec. 15"

29   Insert "sec. 16"

30

31   Page 108, line 12:

1   Delete "sec. 16"

2   Insert "sec. 17"

3

4   Page 108, line 13:

5   Delete "sec. 17"

6   Insert "sec. 18"

7

8   Page 108, line 14:

9   Delete "sec. 18"

10   Insert "sec. 19"

11

12   Page 108, line 15:

13   Delete "sec. 20"

14   Insert "sec. 21"

15

16   Page 108, line 16:

17   Delete "sec. 21"

18   Insert "sec. 22"

19

20   Page 108, line 17:

21   Delete "sec. 23"

22   Insert "sec. 24"

23

24   Page 108, line 18:

25   Delete "sec. 25"

26   Insert "sec. 26"

27

28   Page 108, line 19:

29   Delete "sec. 26"

30   Insert "sec. 27"

31

L

1   Page 108, line 20:

2   Delete "sec. 28"

3   Insert "sec. 29"

4

5   Page 108, line 21:

6   Delete "sec. 34"

7   Insert "sec. 35"

8

9   Page 108, line 22:

10   Delete "sec. 35"

11   Insert "sec. 36"

12

13   Page 108, line 23:

14   Delete "sec. 38"

15   Insert "sec. 39"

16

17   Page 108, line 24:

18   Delete "sec. 40"

19   Insert "sec. 41"

20

21   Page 108, line 25:

22   Delete "sec. 42"

23   Insert "sec. 43"

24

25   Page 108, line 26:

26   Delete "sec. 78"

27   Insert "sec. 79"

28

29   Page 108, line 27:

30   Delete "sec. 90"

31   Insert "sec. 91"

L

1

2   Page 108, line 28:

3   Delete "sec. 91"

4   Insert "sec. 92"

5

6   Page 108, line 29:

7   Delete "sec. 97"

8   Insert "sec. 98"

9

10   Page 108, line 30:

11   Delete "sec. 98"

12   Insert "sec. 99"

13

14   Page 108, line 31:

15   Delete "sec. 147"

16   Insert "sec. 148"

17

18   Page 109, line 3:

19   Delete "sec. 30"

20   Insert "sec. 31"

21

22   Page 109, line 4:

23   Delete "sec. 31"

24   Insert "sec. 32"

25

26   Page 109, line 5:

27   Delete "sec. 32"

28   Insert "sec. 33"

29

30   Page 109, line 6:

31   Delete "sec. 33"

1   Insert "sec. 34"

2

3   Page 109, line 9:

4   Delete "sec. 61"

5   Insert "sec. 62"

6

7   Page 109, line 10:

8   Delete "sec. 62"

9   Insert "sec. 63"

10

11   Page 109, line 11:

12   Delete "sec. 63"

13   Insert "sec. 64"

14

15   Page 109, line 12:

16   Delete "sec. 64"

17   Insert "sec. 65"

18

19   Page 109, line 15:

20   Delete "sec. 59"

21   Insert "sec. 60"

22

23   Page 109, line 16:

24   Delete "sec. 60"

25   Insert "sec. 61"

26

27   Page 109, line 17:

28   Delete "sec. 77"

29   Insert "sec. 78"

30

31   Page 109, line 18:

1   Delete "sec. 93"

2   Insert "sec. 94"

3

4 Page 109, line 19:

5   Delete "sec. 96"

6   Insert "sec. 97"

7

8 Page 109, line 20:

9   Delete "sec. 106"

10   Insert "sec. 107"

11

12 Page 109, line 21:

13   Delete "sec. 107"

14   Insert "sec. 108"

15

16 Page 109, line 22:

17   Delete "sec. 108"

18   Insert "sec. 109"

19

20 Page 109, line 23:

21   Delete "sec. 110"

22   Insert "sec. 111"

23

24 Page 109, line 24:

25   Delete "sec. 119"

26   Insert "sec. 120"

27

28 Page 109, line 25:

29   Delete "sec. 139"

30   Insert "sec. 140"

31

1 Page 109, line 26:

2   Delete "sec. 57"

3   Insert "sec. 58"

4

5 Page 109, line 27:

6   Delete "sec. 57"

7   Insert "sec. 58"

8

9 Page 109, line 28:

10   Delete "sec. 57"

11   Insert "sec. 58"

12

13 Page 110, line 1:

14   Delete "sec. 66"

15   Insert "sec. 67"

16

17 Page 110, line 2:

18   Delete "sec. 67"

19   Insert "sec. 68"

20

21 Page 110, line 3:

22   Delete "sec. 68"

23   Insert "sec. 69"

24

25 Page 110, line 4:

26   Delete "sec. 65"

27   Insert "sec. 66"

28

29 Page 110, line 5:

30   Delete "sec. 65"

31   Insert "sec. 66"

1

2   Page 110, line 6:

3   Delete "sec. 65"

4   Insert "sec. 66"

5

6   Page 110, line 7:

7   Delete "sec. 69"

8   Insert "sec. 70"

9

10   Page 110, line 8:

11   Delete "sec. 69"

12   Insert "sec. 70"

13

14   Page 110, line 9:

15   Delete "sec. 69"

16   Insert "sec. 70"

17

18   Page 110, line 10:

19   Delete "sec. 71"

20   Insert "sec. 72"

21

22   Page 110, line 11:

23   Delete "sec. 71"

24   Insert "sec. 72"

25

26   Page 110, line 12:

27   Delete "sec. 71"

28   Insert "sec. 72"

29

30   Page 110, line 13:

31   Delete "sec. 74"

1   Insert "sec. 75"

2

3   Page 110, line 14:

4   Delete "sec. 74"

5   Insert "sec. 75"

6

7   Page 110, line 15:

8   Delete "sec. 74"

9   Insert "sec. 75"

10

11   Page 110, line 19:

12   Delete "sec. 70"

13   Insert "sec. 71"

14

15   Page 110, line 20:

16   Delete "sec. 72"

17   Insert "sec. 73"

18

19   Page 110, line 21:

20   Delete "sec. 73"

21   Insert "sec. 74"

22

23   Page 110, line 22:

24   Delete "sec. 76"

25   Insert "sec. 77"

26

27   Page 110, line 23:

28   Delete "sec. 101"

29   Insert "sec. 102"

30

31   Page 110, line 27:

1	Delete "sec. 88"
2	Insert "sec. 89"
3	
4	Page 110, line 28:
5	Delete "sec. 89"
6	Insert "sec. 90"
7	
8	Page 110, line 29:
9	Delete "sec. 95"
10	Insert "sec. 96"
11	
12	Page 111, line 1:
13	Delete "sec. 104"
14	Insert "sec. 105"
15	
16	Page 111, line 2:
17	Delete "sec. 105"
18	Insert "sec. 106"
19	
20	Page 111, line 3:
21	Delete "sec. 109"
22	Insert "sec. 110"
23	
24	Page 111, line 4:
25	Delete "sec. 111"
26	Insert "sec. 112"
27	
28	Page 111, line 5:
29	Delete "sec. 112"
30	Insert "sec. 113"
31	

L

1   Page 111, line 6:

2   Delete "sec. 113"

3   Insert "sec. 114"

4

5   Page 111, line 7:

6   Delete "sec. 120"

7   Insert "sec. 121"

8

9   Page 111, line 8:

10   Delete "sec. 121"

11   Insert "sec. 122"

12

13   Page 111, line 9:

14   Delete "sec. 122"

15   Insert "sec. 123"

16

17   Page 111, line 10:

18   Delete "sec. 123"

19   Insert "sec. 124"

20

21   Page 111, line 11:

22   Delete "sec. 124"

23   Insert "sec. 125"

24

25   Page 111, line 12:

26   Delete "sec. 125"

27   Insert "sec. 126"

28

29   Page 111, line 13:

30   Delete "sec. 126"

31   Insert "sec. 127"

L

1

2   Page 111, line 14:

3   Delete "sec. 128"

4   Insert "sec. 129"

5

6   Page 111, line 15:

7   Delete "sec. 21"

8   Insert "sec. 22"

9   Delete "sec. 164"

10   Insert "sec. 165"

11

12   Page 111, line 16:

13   Delete "secs. 21 and 164"

14   Insert "secs. 22 and 165"

15

16   Page 111, line 19:

17   Delete "sec. 48"

18   Insert "sec. 49"

19

20   Page 111, line 20:

21   Delete "sec. 49"

22   Insert "sec. 50"

23

24   Page 111, line 21:

25   Delete "sec. 50"

26   Insert "sec. 51"

27

28   Page 111, line 22:

29   Delete "sec. 51"

30   Insert "sec. 52"

31

1   Page 111, line 23:

2   Delete "sec. 52"

3   Insert "sec. 53"

4

5   Page 111, line 24:

6   Delete "sec. 53"

7   Insert "sec. 54"

8

9   Page 111, line 25:

10   Delete "sec. 54"

11   Insert "sec. 55"

12

13   Page 111, line 26:

14   Delete "sec. 55"

15   Insert "sec. 56"

16

17   Page 111, line 27:

18   Delete "sec. 56"

19   Insert "sec. 57"

20

21   Page 111, line 28:

22   Delete "sec. 103"

23   Insert "sec. 104"

24

25   Page 111, line 31:

26   Delete "sec. 127"

27   Insert "sec. 128"

28

29   Page 112, line 1:

30   Delete "sec. 129"

31   Insert "sec. 130"

1

2   Page 112, line 2:

3   Delete "sec. 130"

4   Insert "sec. 131"

5

6   Page 112, line 3:

7   Delete "sec. 131"

8   Insert "sec. 132"

9

10   Page 112, line 4:

11   Delete "sec. 132"

12   Insert "sec. 133"

13

14   Page 112, line 5:

15   Delete "sec. 133"

16   Insert "sec. 134"

17

18   Page 112, line 6:

19   Delete "sec. 134"

20   Insert "sec. 135"

21

22   Page 112, line 7:

23   Delete "sec. 135"

24   Insert "sec. 136"

25

26   Page 112, line 8:

27   Delete "sec. 136"

28   Insert "sec. 137"

29

30   Page 112, line 9:

31   Delete "sec. 137"

1   Insert "sec. 138"

2

3   Page 112, line 10:

4   Delete "sec. 100"

5   Insert "sec. 101"

6

7   Page 112, line 11:

8   Delete "sec. 100"

9   Insert "sec. 101"

10

11   Page 112, line 12:

12   Delete "sec. 100"

13   Insert "sec. 101"

14

15   Page 112, line 13:

16   Delete "sec. 100"

17   Insert "sec. 101"

18

19   Page 112, line 14:

20   Delete "sec. 140"

21   Insert "sec. 141"

22

23   Page 112, line 15:

24   Delete "sec. 140"

25   Insert "sec. 141"

26

27   Page 112, line 16:

28   Delete "sec. 140"

29   Insert "sec. 141"

30

31   Page 112, line 17:

1   Delete "sec. 140"

2   Insert "sec. 141"

3

4   Page 112, line 21:

5   Delete "sec. 44"

6   Insert "sec. 45"

7

8   Page 112, line 22:

9   Delete "sec. 46"

10   Insert "sec. 47"

11

12 Page 112, line 23:

13   Delete "sec. 43"

14   Insert "sec. 44"

15

16 Page 112, line 24:

17   Delete "sec. 43"

18   Insert "sec. 44"

19

20 Page 112, line 25:

21   Delete "sec. 43"

22   Insert "sec. 44"

23

24 Page 112, line 28:

25   Delete "sec. 79"

26   Insert "sec. 80"

27

28 Page 112, line 29:

29   Delete "sec. 80"

30   Insert "sec. 81"

31

L

1   Page 112, line 30:

2   Delete "sec. 81"

3   Insert "sec. 82"

4

5   Page 112, line 31:

6   Delete "sec. 82"

7   Insert "sec. 83"

8

9   Page 113, line 1:

10   Delete "sec. 83"

11   Insert "sec. 84"

12

13   Page 113, line 2:

14   Delete "sec. 84"

15   Insert "sec. 85"

16

17   Page 113, line 3:

18   Delete "sec. 99"

19   Insert "sec. 100"

20

21   Page 113, following line 3:   *conceptual*

22   Insert a new bill section to read:

23   "*** Sec. 172.** The uncodified law of the State of Alaska is amended by adding a new section

24   to read:

25   SEVERABILITY. If this Act is held invalid by a court of competent jurisdiction under

26   the requirement of art. II, sec. 13, Constitution of the State of Alaska, that every bill be

27   confined to one subject, the provisions of sec. 2 of this Act shall be severed so that the

28   remainder of this Act is not affected."

29

30   Renumber the following bill sections accordingly.

31

1 Page 112, line 30:

2   Delete "sec. 81"

3   Insert "sec. 82"

4

5 Page 112, line 31:

6   Delete "sec. 82"

7   Insert "sec. 83"

8

9 Page 113, line 1:

10   Delete "sec. 83"

11   Insert "sec. 84"

12

13 Page 113, line 2:

14   Delete "sec. 84"

15   Insert "sec. 85"

16

17 Page 113, line 3:

18   Delete "sec. 99"

19   Insert "sec. 100"

20

21 Page 113, following line 3:

22   Insert a new bill section to read:

23 "*** Sec. 172.** The uncodified law of the State of Alaska is amended by adding a new section

24 to read:

25   SEVERABILITY. If this Act is held invalid by a court of competent jurisdiction under

26 the requirement of art. II, sec. 13, Constitution of the State of Alaska, that every bill be

27 confined to one subject, the provisions of sec. 2 of this Act shall be severed so that the

28 remainder of this Act is not affected."

29

30 Renumber the following bill sections accordingly.

31

29-LS0541\U.2
Gardner
4/25/16

AMENDMENT #3   Rep. Wilson

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(FIN)

1   Page 8, lines 9 - 10:

2   Delete "**$1,000** [$750]"

3   Insert "$750"

4

5   Page 8, line 13:

6   Delete "**$1,000** [$750]"

7   Insert "$750"

L   -1-

AMENDMENT #4

OFFERED IN THE HOUSE   BY REPRESENTATIVE KAWASAKI

   TO: HCS CSSSSB 91(JUD)

1   Page 33, following line 12:

2   Insert a new subsection to read:

3   "(*l*) A person who is ordered as a condition of release under this section to be

4   on electronic monitoring may not be subject to a search of the person's dwelling by a

5   pretrial services officer or peace officer except upon probable cause."

AMENDMENT # 5

OFFERED IN THE HOUSE   BY REPRESENTATIVE KAWASAKI

TO: HCS CSSSSB 91(JUD)

1   Page 47, line 7, following "offense,":

2   Insert "other than a crime against a person under AS 11.41 that is an unclassified, class

3   A, or class B felony,"

4

5   Page 90, line 30, following "offense,":

6   Insert "other than a crime against a person under AS 11.41 that is an unclassified, class

7   A, or class B felony,"

Adopted

AMENDMENT # 6

OFFERED IN THE HOUSE   BY REPRESENTATIVE GARA

TO: HCS CSSSSB 91(JUD)   *Pruitt.*

1   Page 53, line 19, following "than":

2   Insert "**(1)**"

3

4   Page 53, line 20, following "**section**":

5   Insert "**;**"

6

7   Page 53, following line 20:

8   Insert a new paragraph to read:

9   "**(2) 90 days if the conviction is for a violation of**

10   **(A) AS 11.61.116(c)(1) and the person is 21 years of age or**

11   **older; or**

12   **(B) AS 11.61.120(a)(6) and the person is 21 years of age or**

13   **older.**"

AMENDMENT *Rep*

7 Kawasaki

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD)

1   Page 1, line 1, following "**substances;**":

2   Insert "**relating to victims of criminal offenses;**"

3

4   Page 56, following line 9:

5   Insert new bill sections to read:

6   "*** Sec. 91.** AS 12.61 is amended by adding a new section to read:

7   **Sec. 12.61.016. Duties of agency investigating a sexual offense.** A law

8   enforcement agency investigating an offense under AS 11.41.410 - 11.41.470 may not

9   disclose information related to the investigation to an employer of the victim unless

10   (1) the victim expressly permits the disclosure; or

11   (2) the agency determines the disclosure is necessary to investigate or

12   prevent a crime.

13   *** Sec. 92.** AS 12.61.017(a) is amended to read:

14   (a) An employer may not penalize or threaten to penalize a victim **of an**

15   **offense** because the victim

16   **(1)** is subpoenaed or requested by the prosecuting attorney to attend a

17   court proceeding for the purpose of giving testimony**; or**

18   **(2) reports the offense to a law enforcement agency or participates**

19   **in the investigation of the offense by a law enforcement agency** [. IN THIS

20   SUBSECTION, "PENALIZE" MEANS TO TAKE ACTION AFFECTING THE

21   EMPLOYMENT STATUS, WAGES, AND BENEFITS PAYABLE TO THE

22   VICTIM, INCLUDING

23   (1) DEMOTION OR SUSPENSION;

1   (2) DISMISSAL FROM EMPLOYMENT; AND

2   (3) LOSS OF PAY OR BENEFITS, EXCEPT PAY AND BENEFITS

3   THAT ARE DIRECTLY ATTRIBUTABLE TO THE VICTIM'S ABSENCE FROM

4   EMPLOYMENT TO ATTEND THE COURT PROCEEDING].

5   * **Sec. 93.** AS 12.61.017 is amended by adding a new subsection to read:

6   (d) In this section, "penalize" means to take action affecting the employment

7   status, wages, and benefits payable to the victim, including

8   (1) demotion or suspension;

9   (2) dismissal from employment; and

10   (3) loss of pay or benefits, except pay and benefits that are directly

11   attributable to the victim's absence from employment to

12   (A) attend the court proceeding;

13   (B) report the offense to a law enforcement agency;

14   (C) participate in a law enforcement agency investigation of the

15   offense."

16

17   Renumber the following bill sections accordingly.

18   ‚

19   Page 118, line 26:

20   Delete "sec. 117"

21   Insert "sec. 120"

22

23   Page 121, line 25:

24   Delete "sec. 100"

25   Insert "sec. 103"

26

27   Page 121, line 26:

28   Delete "sec. 101"

29   Insert "sec. 104"

30

31   Page 121, line 27:

1   Delete "sec. 111"
2   Insert "sec. 114"
3
4   Page 121, line 28:
5   Delete "sec. 112"
6   Insert "sec. 115"
7
8   Page 121, line 29:
9   Delete "sec. 113"
10   Insert "sec. 116"
11
12   Page 121, line 30:
13   Delete "sec. 173"
14   Insert "sec. 176"
15
16   Page 121, line 31:
17   Delete "sec. 181"
18   Insert "sec. 184"
19
20   Page 122, line 17:
21   Delete "sec. 153"
22   Insert "sec. 156"
23
24   Page 122, line 23:
25   Delete "sec. 104"
26   Insert "sec. 107"
27
28   Page 122. line 24:
29   Delete "sec. 108"
30   Insert "sec. 111"
31

1   Page 122, line 25:
2   Delete "sec. 120"
3   Insert "sec. 123"
4
5   Page 122, line 26:
6   Delete "sec. 122"
7   Insert "sec. 125"
8
9   Page 123, line 24:
10   Delete "sec. 115"
11   Insert "sec. 118"
12
13   Page 123, line 28:
14   Delete "sec. 97"
15   Insert "sec. 100"
16
17   Page 123, line 29:
18   Delete "sec. 99"
19   Insert "sec. 102"
20
21   Page 123, line 30:
22   Delete "sec. 106"
23   Insert "sec. 109"
24
25   Page 124, line 2:
26   Delete "sec. 118"
27   Insert "sec. 121"
28
29   Page 124, line 3:
30   Delete "sec. 119"
31   Insert "sec. 122"

1

2   Page 124, line 4:

3   Delete "sec. 121"

4   Insert "sec. 124"

5

6   Page 124, line 5:

7   Delete "sec. 123"

8   Insert "sec. 126"

9

10   Page 124, line 6:

11   Delete "sec. 125"

12   Insert "sec. 128"

13

14   Page 124, line 7:

15   Delete "sec. 126"

16   Insert "sec. 129"

17

18   Page 124, line 8:

19   Delete "sec. 127"

20   Insert "sec. 130"

21

22   Page 124, line 9:

23   Delete "sec. 133"

24   Insert "sec. 136"

25

26   Page 124, line 10:

27   Delete "sec. 134"

28   Insert "sec. 137"

29

30   Page 124, line 11:

31   Delete "sec. 135"

1   Insert "sec. 138"

2

3   Page 124, line 12:

4   Delete "sec. 136"

5   Insert "sec. 139"

6

7   Page 124, line 13:

8   Delete "sec. 137"

9   Insert "sec. 140"

10

11   Page 124, line 14:

12   Delete "sec. 138"

13   Insert "sec. 141"

14

15   Page 124, line 15:

16   Delete "sec. 139"

17   Insert "sec. 142"

18

19   Page 124, line 16:

20   Delete "sec. 140"

21   Insert "sec. 143"

22

23   Page 124, line 17:

24   Delete "sec. 142"

25   Insert "sec. 145"

26

27   Page 124, line 18:

28   Delete "sec. 189"

29   Insert "sec. 192"

30

31   Page 124, line 19:

1   Delete "189"

2   Insert "192"

3

4   Page 124, line 31:

5   Delete "sec. 117"

6   Insert "sec. 120"

7

8   Page 125, line 3:

9   Delete "sec. 141"

10   Insert "sec. 144"

11

12   Page 125, line 4:

13   Delete "sec. 143"

14   Insert "sec. 146"

15

16   Page 125, line 5:

17   Delete "sec. 144"

18   Insert "sec. 147"

19

20   Page 125, line 6:

21   Delete "sec. 145"

22   Insert "sec. 148"

23

24   Page 125, line 7:

25   Delete "sec. 146"

26   Insert "sec. 149"

27

28   Page 125, line 8:

29   Delete "sec. 147"

30   Insert "sec. 150"

31

1   Page 125, line 9:
2   Delete "sec. 148"
3   Insert "sec. 151"
4
5   Page 125, line 10:
6   Delete "sec. 149"
7   Insert "sec. 152"
8
9   Page 125, line 11:
10   Delete "sec. 150"
11   Insert "sec. 153"
12
13   Page 125, line 12:
14   Delete "sec. 151"
15   Insert "sec. 154"
16
17   Page 125, line 13:
18   Delete "sec. 114"
19   Insert "sec. 117"
20
21   Page 125, line 14:
22   Delete "sec. 114"
23   Insert "sec. 117"
24
25   Page 125, line 15:
26   Delete "sec. 114"
27   Insert "sec. 117"
28
29   Page 125, line 16:
30   Delete "sec. 114"
31   Insert "sec. 117"

1

2 Page 125, line 17:

3 Delete "sec. 154"

4 Insert "sec. 157"

5

6 Page 125, line 18:

7 Delete "sec. 154"

8 Insert "sec. 157"

9

10 Page 125, line 19:

11 Delete "sec. 154"

12 Insert "sec. 157"

13

14 Page 125, line 20:

15 Delete "sec. 154"

16 Insert "sec. 157"

17

18 Page 126, line 9:

19 Delete "secs. 161 - 172, 193, and 199"

20 Insert "secs. 164 - 175, 196, and 204"

21

22 Page 126, line 17:

23 Delete "Sections 161 - 172 and 193"

24 Insert "Sections 164 - 175 and 196"

25

26 Page 126, line 22:

27 Delete "sec. 189"

28 Insert "sec. 192"

29

30 Page 126, line 25:

31 Delete "sec. 194(a)"

1   Insert "sec. 197(a)"

2

3   Page 126, line 27:

4   Delete "sec. 194(b)"

5   Insert "sec. 197(b)"

6

7   Page 126, line 30:

8   Delete "sec. 194(c)"

9   Insert "sec. 197(c)"

10

11   Page 127, line 2:

12   Delete "sec. 194(d)"

13   Insert "sec. 197(d)"

14

15   Page 127, line 5:

16   Delete "sec. 117"

17   Insert "sec. 120"

18   Delete "sec. 194(e)"

19   Insert "sec. 197(e)"

20

21   Page 127, line 8:

22   Delete "Sections 91, 93, 200, and 201"

23   Insert "Sections 94, 96, 203, and 204"

24

25   Page 127, lines 10 - 11:

26   Delete "97, 99 - 101, 103, 106, 111 - 113, 154, 160, 173 - 182, 192, 194(b), 194(c),

27   and 194(d)"

28   Insert "100, 102 - 104, 106, 109, 114 - 116, 157, 163, 176 - 185, 195, 197(b), 197(c),

29   and 197(d)"

30

31   Page 127, line 13:

1   Delete "Section 94"

2   Insert "Section 97"

3

4   Page 127, lines 14 - 15:

5   Delete "92, 104, 105, 108, 114 - 116, 118 - 153, 156 - 158, and 183 - 185"

6   Insert "95, 107, 108, 111, 117 - 119, 121 - 156, 159 - 161, and 186 - 188"

7

8   Page 127, line 16:

9   Delete "117, 190, 191, 194(a), and 194(e)"

10   Insert "120, 193, 194, 197(a), and 197(e)"

11

12 Page 127, line 18:

13   Delete "Section 159"

14   Insert "Section 162"

15

16 Page 127, line 19:

17   Delete "sec. 189"

18   Insert "sec. 192"

29-LS0541\V.50
Martin/Gardner
4/22/16

AMENDMENT *Rep* Kawasaki
#8

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD)

1   Page 1, line 3, following "**imprisonment;**":

2   Insert "**relating to reporting sexual assaults;**"

3

4   Page 58, following line 7:

5   Insert a new bill section to read:

6   "* **Sec. 94.** AS 18.66 is amended by adding a new section to read:

7   **Sec. 18.66.202. Sexual assault online reporting.** The council shall provide an

8   online reporting procedure for a victim of a sexual offense to anonymously report the

9   offense to the council. The anonymous report is a confidential communication under

10   AS 18.66.200. In this section, "sexual offense" means a crime under AS 11.41.410 -

11   11.41.470."

12

13   Renumber the following bill sections accordingly.

14

15   Page 118, line 26:

16   Delete "sec. 117"

17   Insert "sec. 118"

18

19   Page 121, line 25:

20   Delete "sec. 100"

21   Insert "sec. 101"

22

23   Page 121, line 26:

1   Delete "sec. 101"

2   Insert "sec. 102"

3

4   Page 121, line 27:

5   Delete "sec. 111"

6   Insert "sec. 112"

7

8   Page 121, line 28:

9   Delete "sec. 112"

10   Insert "sec. 113"

11

12   Page 121, line 29:

13   Delete "sec. 113"

14   Insert "sec. 114"

15

16   Page 121, line 30:

17   Delete "sec. 173"

18   Insert "sec. 174"

19

20   Page 121, line 31:

21   Delete "sec. 181"

22   Insert "sec. 182"

23

24   Page 122, line 17:

25   Delete "sec. 153"

26   Insert "sec. 154"

27

28   Page 122, line 23:

29   Delete "sec. 104"

30   Insert "sec. 105"

31

1   Page 122, line 24:

2   Delete "sec. 108"

3   Insert "sec. 109"

4

5   Page 122, line 25:

6   Delete "sec. 120"

7   Insert "sec. 121"

8

9   Page 122, line 26:

10   Delete "sec. 122"

11   Insert "sec. 123"

12

13   Page 123, line 24:

14   Delete "sec. 115"

15   Insert "sec. 116"

16

17   Page 123, line 28:

18   Delete "sec. 97"

19   Insert "sec. 98"

20

21   Page 123, line 29:

22   Delete "sec. 99"

23   Insert "sec. 100"

24

25   Page 123, line 30:

26   Delete "sec. 106"

27   Insert "sec. 107"

28

29   Page 124, line 2:

30   Delete "sec. 118"

31   Insert "sec. 119"

1

2   Page 124, line 3:

3   Delete "sec. 119"

4   Insert "sec. 120"

5

6   Page 124, line 4:

7   Delete "sec. 121"

8   Insert "sec. 122"

9

10   Page 124, line 5:

11   Delete "sec. 123"

12   Insert "sec. 124"

13

14   Page 124, line 6:

15   Delete "sec. 125"

16   Insert "sec. 126"

17

18   Page 124, line 7:

19   Delete "sec. 126"

20   Insert "sec. 127"

21

22   Page 124, line 8:

23   Delete "sec. 127"

24   Insert "sec. 128"

25

26   Page 124, line 9:

27   Delete "sec. 133"

28   Insert "sec. 134"

29

30   Page 124, line 10:

31   Delete "sec. 134"

1   Insert "sec. 135"

2

3   Page 124, line 11:

4   Delete "sec. 135"

5   Insert "sec. 136"

6

7   Page 124, line 12:

8   Delete "sec. 136"

9   Insert "sec. 137"

10

11   Page 124, line 13:

12   Delete "sec. 137"

13   Insert "sec. 138"

14

15   Page 124, line 14:

16   Delete "sec. 138"

17   Insert "sec. 139"

18

19   Page 124, line 15:

20   Delete "sec. 139"

21   Insert "sec. 140"

22

23   Page 124, line 16:

24   Delete "sec. 140"

25   Insert "sec. 141"

26

27   Page 124, line 17:

28   Delete "sec. 142"

29   Insert "sec. 143"

30

31   Page 124, line 18:

1   Delete "sec. 189"

2   Insert "sec. 190"

3

4   Page 124, line 19:

5   Delete "189"

6   Insert "190"

7

8   Page 124, line 31:

9   Delete "sec. 117"

10   Insert "sec. 118"

11

12 Page 125, line 3:

13   Delete "sec. 141"

14   Insert "sec. 142"

15

16 Page 125, line 4:

17   Delete "sec. 143"

18   Insert "sec.'144"

19

20 Page 125, line 5:

21   Delete "sec. 144"

22   Insert "sec. 145"

23

24 Page 125, line 6:

25   Delete "sec. 145"

26   Insert "sec. 146"

27

28 Page 125, line 7:

29   Delete "sec. 146"

30   Insert "sec. 147"

31

1   Page 125, line 8:
2   Delete "sec. 147"
3   Insert "sec. 148"
4
5   Page 125, line 9:
6   Delete "sec. 148"
7   Insert "sec. 149"
8
9   Page 125, line 10:
10   Delete "sec. 149"
11   Insert "sec. 150"
12
13   Page 125, line 11:
14   Delete "sec. 150"
15   Insert "sec. 151"
16
17   Page 125, line 12:
18   Delete "sec. 151"
19   Insert "sec. 152"
20
21   Page 125, line 13:
22   Delete "sec. 114"
23   Insert "sec. 115"
24
25   Page 125, line 14:
26   Delete "sec. 114"
27   Insert "sec. 115"
28
29   Page 125, line 15:
30   Delete "sec. 114"
31   Insert "sec. 115"

1

2   Page 125, line 16:

3   Delete "sec. 114"

4   Insert "sec. 115"

5

6   Page 125, line 17:

7   Delete "sec. 154"

8   Insert "sec. 155"

9

10   Page 125, line 18:

11   Delete "sec. 154"

12   Insert "sec. 155"

13

14   Page 125, line 19:

15   Delete "sec. 154"

16   Insert "sec. 155"

17

18   Page 125, line 20:

19   Delete "sec. 154"

20   Insert "sec. 155"

21

22   Page 126, line 9:

23   Delete "secs. 161 - 172, 193, and 199"

24   Insert "secs. 162 - 173, 194, and 202"

25

26   Page 126, line 17:

27   Delete "Sections 161 - 172 and 193"

28   Insert "Sections 162 - 173 and 194"

29

30   Page 126, line 22:

31   Delete "sec. 189"

1   Insert "sec. 190"

2

3   Page 126, line 25:

4   Delete "sec. 194(a)"

5   Insert "sec. 195(a)"

6

7   Page 126, line 27:

8   Delete "sec. 194(b)"

9   Insert "sec. 195(b)"

10

11   Page 126, line 30:

12   Delete "sec. 194(c)"

13   Insert "sec. 195(c)"

14

15   Page 127, line 2:

16   Delete "sec. 194(d)"

17   Insert "sec. 195(d)"

18

19   Page 127, line 5:

20   Delete "sec. 117"

21   Insert "sec. 118"

22   Delete "sec. 194(e)"

23   Insert "sec. 195(e)"

24

25   Page 127, line 8:

26   Delete "200, and 201"

27   Insert "201, and 202"

28

29   Page 127, lines 10 - 11:

30   Delete "97, 99 - 101, 103, 106, 111 - 113, 154, 160, 173 - 182, 192, 194(b), 194(c),

31   and 194(d)"

1   Insert "98, 100 - 102, 104, 107, 112 - 114, 155, 161, 174 - 183, 193, 195(b), 195(c),

2   and 195(d)"

3

4   Page 127, line 13:

5   Delete "Section 94"

6   Insert "Section 95"

7

8   Page 127, lines 14 - 15:

9   Delete "104, 105, 108, 114 - 116, 118 - 153, 156 - 158, and 183 - 185"

10   Insert "105, 106, 109, 115 - 117, 119 - 154, 157 - 159, and 184 - 186"

11

12   Page 127, line 16:

13   Delete "117, 190, 191, 194(a), and 194(e)"

14   Insert "118, 191, 192, 195(a), and 195(e)"

15

16   Page 127, line 18:

17   Delete "Section 159"

18   Insert "Section 160"

19

20   Page 127, line 19:

21   Delete "sec. 189"

22   Insert "sec. 190"

FAILED   29-LS0541\V.64
                                          Gardner
                                          4/25/16

AMENDMENT #9

OFFERED IN THE HOUSE   BY REPRESENTATIVE GARA

TO: HCS CSSSSB 91(JUD)

1   Page 62, following line 26:

2   Insert new subsections to read:

3   "(h) Notwithstanding (g)(2) of this section, if a person resides in a community

4   where a court-ordered treatment program under AS 28.35.028 is not available, the

5   person shall

6   (1)   provide proof to the court that the person has successfully

7   completed a rehabilitative treatment program appropriate for the person's alcohol or

8   substance abuse condition; the program must

9   (A)   include planning and treatment for alcohol or drug

10   addiction;

11   (B) include emphasis on personal responsibility;

12   (C) require payment of restitution to victims and completion of

13   community work service;

14   (D) include physician-approved treatment of physical addiction

15   and treatment of the psychological causes of addiction; and

16   (E) include a monitoring program and physical placement or

17   housing in communities where the court finds that a monitoring program and

18   placement or housing is available;

19   (2) provide proof by clear and convincing evidence to the court that the

20   person is currently sober and has maintained sobriety for a period of at least 18

21   months; and

22   (3) provide written notice to the district attorney's office of the person's

23   request for a limited license under this section.

1   (i)   A person is not entitled to court-appointed counsel under (h) of this

2   section."

3

4   Reletter the following subsection accordingly.

5

6   Page 62, line 31, following "AS 28.35.028":

7   Insert "or a rehabilitative treatment program under (h) of this section"

8

9   Page 67, line 7, following "**AS 28.35.028**":

10   Insert "**or a rehabilitative treatment program under AS 28.15.201(h)**"

11

12   Page 123, line 29:

13   Delete "AS 28.15.201(g) and (h)"

14   Insert "AS 28.15.201(g) - (j)"

MEMORANDUM

April 25, 2016

SUBJECT: Redo of "V.62" (HCS CSSSSB 91 (JUD);
Work Order No. 29-LS0541\V)

TO: Representative Les Gara

FROM: Doug Gardner
Director

Please find attached a redo of "V.62" to change the reference in proposed AS 28.15.201(h) from a "court-ordered" treatment program to a "rehabilitative treatment" program.

In addition, you requested that I address the issue of why (g)(1), (g)(3), (g)(4), and (g)(5) are not restated in sec. 28.15.201(h). First, (g) is the only section that authorizes the court to grant a limited license as we discussed. Second, (h) is an exception to (g)(2), not to all requirements in (g) and will only apply to persons that reside in a community where AS 28.35.028 is not available. Therefore, (h) serves as a limited exception to (g)(2), not as a separate grant of authority apart from (g) for the court to grant a limited license.

DDG:lem
16-393.lem

Attachment

WITHDRAWN

AMENDMENT # 10

OFFERED IN THE HOUSE   BY REPRESENTATIVE KAWASAKI
        TO: HCS CSSSSB 91(JUD)

1   Page 62, line 3, following "person":

2   Insert "(A)"

3

4   Page 62, line 5, following "department;":

5   Insert "or

6   (B) resides in a community where a court-ordered treatment

7   program under AS 28.35.028 is not available and the person has successfully

8   participated for at least six months in a court-ordered treatment program

9   approved by the court that

10   (i) includes planning and treatment for alcohol or drug

11   addiction;

12   (ii) includes emphasis on personal responsibility;

13   (iii) provides in-court recognition of progress and

14   sanctions for relapses;

15   (iv) requires payment of restitution to victims and

16   completion of community work service;

17   (v) includes physician-approved treatment of physical

18   addiction and treatment of the psychological causes of addiction; and

19   (vi) requires adherence to conditions of probation;"

20

21   Page 62, line 31, following "AS 28.35.028":

22   Insert "or a court-ordered treatment program under (g)(2)(B) of this section"

23

L   -1-

1   Page 67, line 7, following "**AS 28.35.028**":

2   Insert "**or a court-ordered treatment program under AS 28.15.201(g)(2)(B)**"

A M E N D M E N T   *Ref.* #11
Kawasabi

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD)

1 Page 71, following line 25:

2   Insert a new bill section to read:

3 "* **Sec. 116.** AS 33.05.040 is amended by adding a new subsection to read:

4   (b) The caseload of a probation officer supervising probationers or the

5 combined caseload of a probation officer or parole officer supervising probationers

6 and persons on parole as provided for in (a)(5) of this section may not exceed 60

7 persons, except in temporary or extraordinary circumstances approved by the

8 commissioner."

9

10 Renumber the following bill sections accordingly.

11

12 Page 118, line 26:

13   Delete "sec. 117"

14   Insert "sec. 118"

15

16 Page 121, line 30:

17   Delete "sec. 173"

18   Insert "sec. 174"

19

20 Page 121, line 31:

21   Delete "sec. 181"

22   Insert "sec. 182"

23

L

-1-

1   Page 122, line 17:

2   Delete "sec. 153"

3   Insert "sec. 154"

4

5   Page 122, line 25:

6   Delete "sec. 120"

7   Insert "sec. 121"

8

9   Page 122, line 26:

10   Delete "sec. 122"

11   Insert "sec. 123"

12

13   Page 124, line 2:

14   Delete "sec. 118"

15   Insert "sec. 119"

16

17   Page 124, line 3:

'18   Delete "sec. 119"

19   Insert "sec. 120"

20

21   Page 124, line 4:

22   Delete "sec. 121"

23   Insert "sec. 122"

24

25   Page 124, line 5:

26   Delete "sec. 123"

27   Insert "sec. 124"

28

29   Page 124, line 6:

30   Delete "sec. 125"

31   Insert "sec. 126"

1

2   Page 124, line 7:

3   Delete "sec. 126"

4   Insert "sec. 127"

5

6   Page 124, line 8:

7   Delete "sec. 127"

8   Insert "sec. 128"

9

10   Page 124, line 9:

11   Delete "sec. 133"

12   Insert "sec. 134"

13

14   Page 124, line 10:

15   Delete "sec. 134"

16   Insert "sec. 135"

17

18   Page 124, line 11:

19   Delete "sec. 135"

20   Insert "sec. 136"

21

22   Page 124, line 12:

23   Delete "sec. 136"

24   Insert "sec. 137"

25

26   Page 124, line 13:

27   Delete "sec. 137"

28   Insert "sec. 138"

29

30   Page 124, line 14:

31   Delete "sec. 138"

1   Insert "sec. 139"

2

3   Page 124, line 15:

4   Delete "sec. 139"

5   Insert "sec. 140"

6

7   Page 124, line 16:

8   Delete "sec. 140"

9   Insert "sec. 141"

10

11   Page 124, line 17:

12   Delete "sec. 142"

13   Insert "sec. 143"

14

15   Page 124, line 18:

16   Delete "sec. 189"

17   Insert "sec. 190"

18

19   Page 124, line 19:

20   Delete "189"

21   Insert "190"

22

23   Page 124, line 31:

24   Delete "sec. 117"

25   Insert "sec. 118"

26

27   Page 125, line 3:

28   Delete "sec. 141"

29   Insert "sec. 142"

30

31   Page 125, line 4:

1   Delete "sec. 143"

2   Insert "sec. 144"

3

4 Page 125, line 5:

5   Delete "sec. 144"

6   Insert "sec. 145"

7

8 Page 125, line 6:

9   Delete "sec. 145"

10   Insert "sec. 146"

11

12 Page 125, line 7:

13   Delete "sec. 146"

14   Insert "sec. 147"

15

16 Page 125, line 8:

17   Delete "sec. 147"

18   Insert "sec. 148"

19

20 Page 125, line 9:

21   Delete "sec. 148"

22   Insert "sec. 149"

23

24 Page 125, line 10:

25   Delete "sec. 149"

26   Insert "sec. 150"

27

28 Page 125, line 11:

29   Delete "sec. 150"

30   Insert "sec. 151"

31

1   Page 125, line 12:

2   Delete "sec. 151"

3   Insert "sec. 152"

4

5   Page 125, line 17:

6   Delete "sec. 154"

7   Insert "sec. 155"

8

9   Page 125, line 18:

10   Delete "sec. 154"

11   Insert "sec. 155"

12

13   Page 125, line 19:

14   Delete "sec. 154"

15   Insert "sec. 155"

16

17   Page 125, line 20:

18   Delete "sec. 154"

19   Insert "sec. 155"

20

21   Page 126, line 9:

22   Delete "secs. 161 - 172, 193, and 199"

23   Insert "secs. 162 - 173, 194, and 202"

24

25   Page 126, line 17:

26   Delete "Sections 161 - 172 and 193"

27   Insert "Sections 162 - 173 and 194"

28

29   Page 126, line 22:

30   Delete "sec. 189"

31   Insert "sec. 190"

1

2   Page 126, line 25:

3   Delete "sec. 194(a)"

4   Insert "sec. 195(a)"

5

6   Page 126, line 27:

7   Delete "sec. 194(b)"

8   Insert "sec. 195(b)"

9

10   Page 126, line 30:

11   Delete "sec. 194(c)"

12   Insert "sec. 195(c)"

13

14   Page 127, line 2:

15   Delete "sec. 194(d)"

16   Insert "sec. 195(d)"

17

18   Page 127, line 5:

19   Delete "sec. 117"

20   Insert "sec. 118"

21   Delete "sec. 194(e)"

22   Insert "sec. 195(e)"

23

24   Page 127, line 8:

25   Delete "200, and 201"

26   Insert "201, and 202"

27

28   Page 127, line 11:

29   Delete "154, 160, 173 - 182, 192, 194(b), 194(c), and 194(d)"

30   Insert "155, 161, 174 - 183, 193, 195(b), 195(c), and 195(d)"

31

L

1   Page 127, lines 14 - 15:

2   Delete "114 - 116, 118 - 153, 156 - 158, and 183 - 185"

3   Insert "114, 115, 117, 119 - 154, 157 - 159, and 184 - 186"

4

5   Page 127, line 16:

6   Delete "117, 190, 191, 194(a), and 194(e)"

7   Insert "118, 191, 192, 195(a), and 195(e)"

8

9   Page 127, line 18:

10   Delete "Section 159"

11   Insert "Section 160"

12

13   Page 127, line 19:

14   Delete "sec. 189"

15   Insert "sec. 190"

WITHDRAWN

Admin Parole

AMENDMENT #12

OFFERED IN THE HOUSE   BY REPRESENTATIVE KAWASAKI

        TO: HCS CSSSSB 91(JUD)

1   Page 76, line 27:

2   Delete all material and insert:

3   "(A) one-half of the active term of imprisonment imposed for a

4   prisoner convicted of a class B felony or one-fourth of the active term of

5   imprisonment imposed for a prisoner convicted of a class C felony or

6   misdemeanor;"

7

8   Page 77, line 15:

9   Delete "90"

10   Insert "120"

L   -1-

AMENDMENT # 13

OFFERED IN THE HOUSE   BY REPRESENTATIVE KAWASAKI

TO: HCS CSSSSB 91(JUD)

1   Page 78, line 2:

2   Delete "**55**"

3   Insert "**65**"

AMENDMENT #14

OFFERED IN THE HOUSE   BY REPRESENTATIVE GUTTENBERG

TO: HCS CSSSSB 91(JUD)

1   Page 105, line 3:

2   Delete "50 percent of"

3

4   Page 105, lines 5 - 7:

5   Delete all material and insert:

6   "(d) The legislature may use the annual estimated balance in the fund to make

7   appropriations as follows:

8   (1) 50 percent to the Department of Corrections, the Department of

9   Health and Social Services, or the Department of Public Safety for recidivism

10   reduction programs; and

11   (2) 50 percent for drug and alcohol abuse prevention and treatment

12   grant programs administered by the Department of Health and Social Services."

AMENDMENT *#15*

By Rep. Kawasaki

OFFERED IN THE HOUSE

    TO: HCS CSSSSB 91(JUD)

1   Page 2, line 3, following "**Alaska;**":

2   Insert "**relating to standards for licensure or certification established by the**

3   **Department of Health and Social Services;**"

4

5   Page 110, following line 16:

6   Insert a new bill section to read:

7   "*** Sec. 180.** AS 47.05.310(g) is amended to read:

8   (g) The department shall adopt regulations listing those criminal offenses that

9   are inconsistent with the standards for licensure or certification by the department.

10   **The regulations may not provide that the offense of assault in the fourth degree**

11   **under AS 11.41.230, or an offense with similar elements in this or another**

12   **jurisdiction, is inconsistent with the standards for licensure or certification for**

13   **more than one year from the date of a person's unconditional discharge from a**

14   **conviction unless the offense is a crime involving domestic violence. In this**

15   **subsection,**

16   **(1) "crime involving domestic violence" has the meaning given in**

17   **AS 18.66.990; and**

18   **(2) "unconditional discharge" has the meaning given in**

19   **AS 12.55.185.**"

20

21   Renumber the following bill sections accordingly.

22

23   Page 118, following line 6:

L

1   Insert a new bill section to read:

2   "*** Sec. 195.** 7 AAC 10.905(d)(1)(A) is annulled."

3

4   Renumber the following bill sections accordingly.

5

6   Page 121, line 31:

7   Delete "sec. 181"

8   Insert "sec. 182"

9

10   Page 124, line 18:

11   Delete "sec. 189"

12   Insert "sec. 190"

13

14   Page 124, line 19:

15   Delete "189"

16   Insert "190"

17

18   Page 126, line 9:

19   Delete "193, and 199"

20   Insert "194, and 203"

21

22   Page 126, line 17:

23   Delete "193"

24   Insert "194"

25

26   Page 126, line 22:

27   Delete "sec. 189"

28   Insert "sec. 190"

29

30   Page 126, line 25:

31   Delete "sec. 194(a)"

1   Insert "sec. 196(a)"

2

3   Page 126, line 27:

4   Delete "sec. 194(b)"

5   Insert "sec. 196(b)"

6

7   Page 126, line 30:

8   Delete "sec. 194(c)"

9   Insert "sec. 196(c)"

10

11   Page 127, line 2:

12   Delete "sec. 194(d)"

13   Insert "sec. 196(d)"

14

15   Page 127, line 5:

16   Delete "sec. 194(e)"

17   Insert "sec. 196(e)"

18

19   Page 127, line 8:

20   Delete "200, and 201"

21   Insert "202, and 203"

22

23   Page 127, lines 10 - 11:

24   Delete "173 - 182, 192, 194(b), 194(c), and 194(d)"

25   Insert "173 - 183, 193, 196(b), 196(c), and 196(d)"

26

27   Page 127, lines 14 - 15:

28   Delete "183 - 185"

29   Insert "184 - 186"

30

31   Page 127, line 16:

1   Delete "190, 191, 194(a), and 194(e)"

2   Insert "191, 192, 196(a), and 196(e)"

3

4   Page 127, line 19:

5   Delete "sec. 189"

6   Insert "sec. 190"

AMENDMENT # 16

OFFERED IN THE HOUSE   BY REPRESENTATIVE GUTTENBERG
        TO:

1   Page _____, line _____:

2   Insert "; **relating to major medical insurance coverage under the Public**

3   **Employees' Retirement System of Alaska; and providing for an effective date**"

4

5   Page _____, following line _____:

6   Insert new bill sections to read:

7   "*** Sec. A.** AS 39.30.400(b) is amended to read:

8   (b) Upon application of an eligible person, the administrator shall reimburse to

9   the eligible person the costs for medical care expenses as defined in 26 U.S.C. 213(d).

10   Reimbursement is limited to the medical expenses of

11   (1) an eligible member, the spouse of an eligible member, and the

12   dependent children of an eligible member; [OR]

13   (2) a surviving spouse and the dependent children of an eligible

14   member dependent on the surviving spouse**; or**

15   **(3) an eligible member's dependent children if the member dies**

16   **and there is no surviving spouse**.

17   *** Sec. B.** AS 39.35.535(a) is amended to read:

18   (a) Except as provided in (d) of this section, the following persons are entitled

19   to major medical insurance coverage under this section:

20   (1) for employees first hired before July 1, 1986,

21   (A) an employee who is receiving a monthly benefit from the

22   plan and who has elected coverage;

23   (B) the spouse and dependent children of the employee

L   -1-

1   described in (A) of this paragraph;

2   (C)   the surviving spouse of a deceased employee who is

3   receiving a monthly benefit from the plan and who has elected coverage;

4   (D)   the dependent children of a deceased employee **for whom**

5   **coverage has been elected** [WHO ARE DEPENDENT ON THE

6   SURVIVING SPOUSE DESCRIBED IN (C) OF THIS PARAGRAPH];

7   (2) for members first hired on or after July 1, 1986,

8   (A)   an employee who is receiving a monthly benefit from the

9   plan and who has elected coverage for the employee;

10   (B)   the spouse of the employee described in (A) of this

11   paragraph if the employee elected coverage for the spouse;

12   (C)   the dependent children of the employee described in (A) of

13   this paragraph if the employee elected coverage for the dependent children;

14   (D)   the surviving spouse of a deceased employee who is

15   receiving a monthly benefit from the plan and who has elected coverage;

16   (E)   the dependent children of a deceased employee **for whom**

17   **coverage has been elected;**

18   **(3) for deceased members who were peace officers or firefighters,**

19   **(A)   the dependent children of the deceased member who**

20   **are eligible to receive a pension benefit under AS 39.35.430 and for whom**

21   **coverage has been elected;**

22   **(B) the surviving spouse of the deceased member** who [ARE

23   DEPENDENT ON THE SURVIVING SPOUSE DESCRIBED IN (D) OF

24   THIS PARAGRAPH IF THE SURVIVING SPOUSE] has elected coverage

25   **and is eligible to receive a pension benefit under AS 39.35.430** [FOR THE

26   DEPENDENT CHILDREN].

27   *** Sec. C.** AS 39.35.535(c) is amended to read:

28   (c)   A benefit recipient may elect major medical insurance coverage in

29   accordance with regulations and under the following conditions:

30   (1) a person, other than a disabled member or a disabled member who

31   is appointed to normal retirement, must pay an amount equal to the full monthly group

1   premium for retiree major medical insurance coverage if the person is

2   (A) younger than 60 years of age and has less than

3   (i) 25 years of credited service as a peace officer under

4   AS 39.35.360 and 39.35.370; or

5   (ii) 30 years of credited service under AS 39.35.360 and

6   39.35.370 that is not service as a peace officer; or

7   (B) of any age and has less than 10 years of credited service;

8   (2) a person is not required to make premium payments for retiree

9   major medical coverage if the person

10   (A) is a disabled member;

11   (B) is a disabled member who is appointed to normal

12   retirement;

13   (C) is 60 years of age or older and has at least 10 years of

14   credited service; [OR]

15   (D) has at least

16   (i) 25 years of credited service as a peace officer under

17   AS 39.35.360 and 39.35.370; or

18   (ii) 30 years of credited service under AS 39.35.360 and

19   39.35.370 not as a peace officer; **or**

20   **(E) is receiving a benefit under (a)(3) of this section**.

21   * **Sec. D.** AS 39.35.870(c) is repealed and reenacted to read:

22   (c) The following persons are eligible to elect medical benefits under

23   AS 39.35.880:

24   (1) a member who is eligible for retirement under (a) of this section;

25   (2) a member's surviving spouse if the member had retired or was

26   eligible for retirement and medical benefits at the time of the member's death;

27   (3) a deceased member's surviving spouse, if the deceased member

28   was a peace officer or firefighter and the deceased member's surviving spouse is

29   eligible to receive a benefit under AS 39.35.892; and

30   (4) a deceased member's dependent children if the deceased member

31   was a peace officer or firefighter and the deceased member's surviving spouse or

1   dependent children are eligible to receive a benefit under AS 39.35.892.

2   * **Sec. E.** AS 39.35.870(d) is amended to read:

3   (d) **A person** [MEMBERS] shall apply for retirement and medical benefits on

4   the forms and in the manner prescribed by the administrator.

5   * **Sec. F.** AS 39.35.870(g) is repealed and reenacted to read:

6   (g) If an eligible person elects not to participate in the retiree major medical

7   insurance plan, the election becomes irrevocable upon application for retirement and

8   medical benefits or when the person reaches 70 1/2 years of age, whichever is later.

9   * **Sec. G.** AS 39.35.870 is amended by adding a new subsection to read:

10   (h) Notwithstanding cessation of benefits under AS 39.35.892(b), medical

11   benefits for a survivor under (c)(3) and (4) of this section shall be paid until the last

12   day of the month in which there is no surviving spouse and no dependent child.

13   * **Sec. H.** AS 39.35.880(b) is repealed and reenacted to read:

14   (b) Retiree major medical insurance plan coverage elected by a person who is

15   eligible under AS 39.35.870(c) covers

16   (1) the member, the spouse of the eligible member, and the dependent

17   children of the eligible member if the member is the elector;

18   (2) the surviving spouse and the dependent children of the eligible

19   member who are dependent on the surviving spouse if the surviving spouse is the

20   elector;

21   (3) the dependent child if the dependent child, or a person authorized

22   to act on behalf of the dependent child, is the elector.

23   * **Sec. I.** AS 39.35.880(d) is amended to read:

24   (d) Major medical insurance coverage takes effect on the first day of the

25   month following the date of the administrator's approval of the election and stops

26   when the person who elects coverage **is no longer eligible to receive coverage**

27   [DIES] or fails to make a required premium payment.

28   * **Sec. J.** AS 39.35.880(g) is amended to read:

29   (g) The cost of premiums for retiree major medical insurance coverage for an

30   eligible **person** [MEMBER OR SURVIVING SPOUSE] who is

31   (1) not eligible for Medicare is an amount equal to the full monthly

1   group premiums for retiree major medical insurance coverage;

2   (2) eligible for Medicare is the following percentage of the premium

3   amounts established for retirees who are eligible for Medicare:

4   (A) 30 percent if the member had 10 or more, but less than 15,

5   years of service;

6   (B) 25 percent if the member had 15 or more, but less than 20,

7   years of service;

8   (C) 20 percent if the member had 20 or more, but less than 25,

9   years of service;

10   (D) 15 percent if the member had 25 or more, but less than 30,

11   years of service;

12   (E) 10 percent if the member had 30 or more years of service.

13   *** Sec. K.** AS 39.35.880 is amended by adding a new subsection to read:

14   (*l*) Notwithstanding (g) of this section, a person who is eligible for major

15   medical insurance coverage under AS 39.35.870(c)(3) or (4) is not required to pay

16   premiums under (g)(1) of this section.

17   *** Sec. L.** AS 39.35.894 is amended to read:

18   **Sec. 39.35.894. Premiums for retiree major medical insurance coverage**

19   **upon termination of disability benefits or survivor's pension.** The premium for

20   retiree major medical insurance coverage payable by an employee whose disability

21   benefit is terminated under AS 39.35.890(g) or by an eligible survivor whose survivor

22   pension is terminated under AS 39.35.890(k) [OR 39.35.892(e)] when the employee

23   would have been eligible for normal retirement if the employee had survived shall be

24   determined under AS 39.35.880(g)(2) as if the employee or survivor were eligible for

25   Medicare.

26   *** Sec. M.** AS 39.35.880(c) is repealed.

27   *** Sec. N.** The uncodified law of the State of Alaska is amended by adding a new section to

28   read:

29   TRANSITION: REGULATIONS. (a) The Department of Administration may adopt

30   regulations necessary to implement this Act. Regulations adopted by the Department of

31   Administration under this Act relate to the internal management of a state agency and are not

1   subject to AS 44.62 (Administrative Procedure Act) under AS 39.30.160 and AS 39.35.005.

2   (b) Regulations adopted under this section may not take effect before the effective

3   date of the law being implemented by the regulation.

4   * **Sec. O.** The uncodified law of the State of Alaska is amended by adding a new section to

5   read:

6   RETROACTIVITY. Sections _____ of this Act are retroactive to January 1, 2013.

7   * **Sec. P.** Section _____ of this Act takes effect immediately under AS 01.10.070(c).

8   * **Sec. Q.** Except as provided in sec. _____ of this Act, this Act takes effect January 1,

9   2017."

#16 A

AMENDMENT

OFFERED IN THE HOUSE   BY REPRESENTATIVE GUTTENBERG

TO: HCS CSSSSB 91(FIN)

1   Page 1, line 8, following "**license**":

2   Insert "; **relating to major medical insurance coverage under the Public**

3   **Employees' Retirement System of Alaska**"

4

5   Page 92, following line 5:

6   Insert new bill sections to read:

7   "* **Sec. 147.** AS 39.30.400(b) is amended to read:

8   (b) Upon application of an eligible person, the administrator shall reimburse to

9   the eligible person the costs for medical care expenses as defined in 26 U.S.C. 213(d).

10   Reimbursement is limited to the medical expenses of

11   (1) an eligible member, the spouse of an eligible member, and the

12   dependent children of an eligible member; [OR]

13   (2) a surviving spouse and the dependent children of an eligible

14   member dependent on the surviving spouse**; or**

15   **(3) an eligible member's dependent children if the member dies**

16   **and there is no surviving spouse**.

17   * **Sec. 148.** AS 39.35.535(a) is amended to read:

18   (a) Except as provided in (d) of this section, the following persons are entitled

19   to major medical insurance coverage under this section:

20   (1) for employees first hired before July 1, 1986,

21   (A) an employee who is receiving a monthly benefit from the

22   plan and who has elected coverage;

23   (B) the spouse and dependent children of the employee

1   described in (A) of this paragraph;

2   (C) the surviving spouse of a deceased employee who is

3   receiving a monthly benefit from the plan and who has elected coverage;

4   (D) the dependent children of a deceased employee **for whom**

5   **coverage has been elected** [WHO ARE DEPENDENT ON THE

6   SURVIVING SPOUSE DESCRIBED IN (C) OF THIS PARAGRAPH];

7   (2) for members first hired on or after July 1, 1986,

8   (A) an employee who is receiving a monthly benefit from the

9   plan and who has elected coverage for the employee;

10   (B) the spouse of the employee described in (A) of this

11   paragraph if the employee elected coverage for the spouse;

12   (C) the dependent children of the employee described in (A) of

13   this paragraph if the employee elected coverage for the dependent children;

14   (D) the surviving spouse of a deceased employee who is

15   receiving a monthly benefit from the plan and who has elected coverage;

16   (E) the dependent children of a deceased employee **for whom**

17   **coverage has been elected;**

18   **(3) for deceased members who were peace officers or firefighters,**

19   **(A) the dependent children of the deceased member who**

20   **are eligible to receive a pension benefit under AS 39.35.430 and for whom**

21   **coverage has been elected;**

22   **(B) the surviving spouse of the deceased member** who [ARE

23   DEPENDENT ON THE SURVIVING SPOUSE DESCRIBED IN (D) OF

24   THIS PARAGRAPH IF THE SURVIVING SPOUSE] has elected coverage

25   **and is eligible to receive a pension benefit under AS 39.35.430** [FOR THE

26   DEPENDENT CHILDREN].

27   *** Sec. 149.** AS 39.35.535(c) is amended to read:

28   (c) A benefit recipient may elect major medical insurance coverage in

29   accordance with regulations and under the following conditions:

30   (1) a person, other than a disabled member or a disabled member who

31   is appointed to normal retirement, must pay an amount equal to the full monthly group

1   premium for retiree major medical insurance coverage if the person is

2   (A) younger than 60 years of age and has less than

3   (i) 25 years of credited service as a peace officer under

4   AS 39.35.360 and 39.35.370; or

5   (ii) 30 years of credited service under AS 39.35.360 and

6   39.35.370 that is not service as a peace officer; or

7   (B) of any age and has less than 10 years of credited service;

8   (2) a person is not required to make premium payments for retiree

9   major medical coverage if the person

10   (A) is a disabled member;

11   (B) is a disabled member who is appointed to normal

12   retirement;

13   (C) is 60 years of age or older and has at least 10 years of

14   credited service; [OR]

15   (D) has at least

16   (i) 25 years of credited service as a peace officer under

17   AS 39.35.360 and 39.35.370; or

18   (ii) 30 years of credited service under AS 39.35.360 and

19   39.35.370 not as a peace officer; or

20   (E) is receiving a benefit under (a)(3) of this section.

21   * Sec. 150. AS 39.35.870(c) is repealed and reenacted to read:

22   (c) The following persons are eligible to elect medical benefits under

23   AS 39.35.880:

24   (1) a member who is eligible for retirement under (a) of this section;

25   (2) a member's surviving spouse if the member had retired or was

26   eligible for retirement and medical benefits at the time of the member's death;

27   (3) a deceased member's surviving spouse, if the deceased member

28   was a peace officer or firefighter and the deceased member's surviving spouse is

29   eligible to receive a benefit under AS 39.35.892; and

30   (4) a deceased member's dependent children if the deceased member

31   was a peace officer or firefighter and the deceased member's surviving spouse or

1   dependent children are eligible to receive a benefit under AS 39.35.892.

2   * **Sec. 151.** AS 39.35.870(d) is amended to read:

3   (d) **A person** [MEMBERS] shall apply for retirement and medical benefits on

4   the forms and in the manner prescribed by the administrator.

5   * **Sec. 152.** AS 39.35.870(g) is repealed and reenacted to read:

6   (g) If an eligible person elects not to participate in the retiree major medical

7   insurance plan, the election becomes irrevocable upon application for retirement and

8   medical benefits or when the person reaches 70 1/2 years of age, whichever is later.

9   * **Sec. 153.** AS 39.35.870 is amended by adding a new subsection to read:

10   (h) Notwithstanding cessation of benefits under AS 39.35.892(b), medical

11   benefits for a survivor under (c)(3) and (4) of this section shall be paid until the last

12   day of the month in which there is no surviving spouse and no dependent child.

13   * **Sec. 154.** AS 39.35.880(b) is repealed and reenacted to read:

14   (b) Retiree major medical insurance plan coverage elected by a person who is

15   eligible under AS 39.35.870(c) covers

16   (1) the member, the spouse of the eligible member, and the dependent

17   children of the eligible member if the member is the elector;

18   (2) the surviving spouse and the dependent children of the eligible

19   member who are dependent on the surviving spouse if the surviving spouse is the

20   elector;

21   (3) the dependent child if the dependent child, or a person authorized

22   to act on behalf of the dependent child, is the elector.

23   * **Sec. 155.** AS 39.35.880(d) is amended to read:

24   (d) Major medical insurance coverage takes effect on the first day of the

25   month following the date of the administrator's approval of the election and stops

26   when the person who elects coverage **is no longer eligible to receive coverage**

27   [DIES] or fails to make a required premium payment.

28   * **Sec. 156.** AS 39.35.880(g) is amended to read:

29   (g) The cost of premiums for retiree major medical insurance coverage for an

30   eligible **person** [MEMBER OR SURVIVING SPOUSE] who is

31   (1) not eligible for Medicare is an amount equal to the full monthly

1   group premiums for retiree major medical insurance coverage;

2   (2) eligible for Medicare is the following percentage of the premium

3   amounts established for retirees who are eligible for Medicare:

4   (A) 30 percent if the member had 10 or more, but less than 15,

5   years of service;

6   (B) 25 percent if the member had 15 or more, but less than 20,

7   years of service;

8   (C) 20 percent if the member had 20 or more, but less than 25,

9   years of service;

10   (D) 15 percent if the member had 25 or more, but less than 30,

11   years of service;

12   (E) 10 percent if the member had 30 or more years of service.

13   *** Sec. 157.** AS 39.35.880 is amended by adding a new subsection to read:

14   (*l*) Notwithstanding (g) of this section, a person who is eligible for major

15   medical insurance coverage under AS 39.35.870(c)(3) or (4) is not required to pay

16   premiums under (g)(1) of this section.

17   *** Sec. 158.** AS 39.35.894 is amended to read:

18   **Sec. 39.35.894. Premiums for retiree major medical insurance coverage**

19   **upon termination of disability benefits or survivor's pension.** The premium for

20   retiree major medical insurance coverage payable by an employee whose disability

21   benefit is terminated under AS 39.35.890(g) or by an eligible survivor whose survivor

22   pension is terminated under AS 39.35.890(k) [OR 39.35.892(e)] when the employee

23   would have been eligible for normal retirement if the employee had survived shall be

24   determined under AS 39.35.880(g)(2) as if the employee or survivor were eligible for

25   Medicare."

26

27   Page 105, following line 30:

28   Insert a new bill section to read:

29   "*** Sec. 178.** AS 39.35.880(c) is repealed."

30

31   Renumber the following bill sections accordingly.

1

2   Page 108, line 31:

3   Delete "sec. 147"

4   Insert "sec. 159"

5

6   Page 111, line 15:

7   Delete "sec. 164"

8   Insert "sec. 176"

9

10   Page 111, line 16:

11   Delete "164"

12   Insert "176"

13

14   Page 113, following line 3:

15   Insert new bill sections to read:

16   "* **Sec. 184.** The uncodified law of the State of Alaska is amended by adding a new section

17   to read:

18   TRANSITION: REGULATIONS. (a) The Department of Administration may adopt

19   regulations necessary to implement this Act. Regulations adopted by the Department of

20   Administration under this Act relate to the internal management of a state agency and are not

21   subject to AS 44.62 (Administrative Procedure Act) under AS 39.30.160 and AS 39.35.005.

22   (b) Regulations adopted under this section may not take effect before the effective

23   date of the law being implemented by the regulation.

24   * **Sec. 185.** The uncodified law of the State of Alaska is amended by adding a new section

25   to read:

26   SEVERABILITY. If this Act is held invalid by a court of competent jurisdiction under

27   the requirement of art. II, sec. 13, Constitution of the State of Alaska, that every bill be

28   confined to one subject, the provisions of secs. 147 - 158, 178, 184, and 186 of this Act shall

29   be severed so that the remainder of this Act is not affected.

30   * **Sec. 186.** The uncodified law of the State of Alaska is amended by adding a new section

31   to read:

1   RETROACTIVITY. Sections 147 - 158 and 178 of this Act are retroactive to

2   January 1, 2013."

3

4   Renumber the following bill sections accordingly.

5

6   Page 113, line 7:

7   Delete "sec. 164"

8   Insert "sec. 176"

9

10   Page 113, line 10:

11   Delete "sec. 166(a)"

12   Insert "sec. 179(a)"

13

14   Page 113, line 12:

15   Delete "sec. 166(b)"

16   Insert "sec. 179(b)"

17

18   Page 113, line 15:

19   Delete "sec. 166(c)"

20   Insert "sec. 179(c)"

21

22   Page 113, line 18:

23   Delete "sec. 166(d)"

24   Insert "sec. 179(d)"

25

26   Page 113, line 21:

27   Delete "sec. 166(e)"

28   Insert "sec. 179(e)"

29

30   Page 113, lines 24 - 25:

31   Delete "146 - 156, 165, 166(b), 166(c), and 166(d)"

1   Insert "146, 159 - 168, 177, 179(b), 179(c), and 179(d)"

2

3   Page 113, lines 28 - 29:

4   Delete "and 157 - 159"

5   Insert "147 - 158, 169 - 171, 178, and 184 - 186"

6

7   Page 113, line 31:

8   Delete "166(a), and 166(e)"

9   Insert "179(a), and 179(e)"

10

11   Page 114, line 2:

12   Delete "sec. 164"

13   Insert "sec. 176"

14

15   Page 114, following line 3:

16   Insert a new bill section to read:

17   "* **Sec. 194.** Section 184 of this Act takes effect immediately under AS 01.10.070(c)."

AMENDMENT # 17

OFFERED BY REP. PRUITT

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD)

1   Page 49, following line 16:

2   Insert a new bill section to read:

3   "*** Sec. 83.** AS 12.55.125(b) is amended to read:

4   (b) A defendant convicted of attempted murder in the first degree, solicitation

5   to commit murder in the first degree, conspiracy to commit murder in the first degree,

6   kidnapping, or misconduct involving a controlled substance in the first degree shall be

7   sentenced to a definite term of imprisonment of at least five years but not more than

8   99 years. A defendant convicted of murder in the second degree or murder of an

9   unborn child under AS 11.41.150(a)(2) - (4) shall be sentenced to a definite term of

10   imprisonment of at least **15** [10] years but not more than 99 years. A defendant

11   convicted of murder in the second degree shall be sentenced to a definite term of

12   imprisonment of at least 20 years but not more than 99 years when the defendant is

13   convicted of the murder of a child under 16 years of age and the court finds by clear

14   and convincing evidence that the defendant (1) was a natural parent, a stepparent, an

15   adoptive parent, a legal guardian, or a person occupying a position of authority in

16   relation to the child; or (2) caused the death of the child by committing a crime against

17   a person under AS 11.41.200 - 11.41.530. In this subsection, "legal guardian" and

18   "position of authority" have the meanings given in AS 11.41.470."

19

20   Renumber the following bill sections accordingly.

21

22   Page 52, line 2, through page 53, line 1:

23   Delete all material.

1

2   Renumber the following bill sections accordingly.

3

4   Page 121, following line 23:

5   Insert a new paragraph to read:

6   "(30) AS 12.55.125(b), as amended by sec. 83 of this Act;"

7

8   Renumber the following paragraphs accordingly.

9

10   Page 121, line 24:

11   Delete all material.

12

13   Renumber the following paragraphs accordingly.

14

15   Page 125, line 31:

16   Delete "sec. 83"

17   Insert "sec. 84"

18

19   Page 126, line 1:

20   Delete "sec. 84"

21   Insert "sec. 85"

22

23   Page 126, line 2:

24   Delete "sec. 85"

25   Insert "sec. 86"