

Alaska Code of Military Justice

HB 126 AND THE ALASKA NATIONAL GUARD

Progress since September 22nd

- Since the last hearing, this bill has been briefed to the Governor. Remains a priority for him and for the Adjutant General.
- Many comments and concerns from previous hearing were turned into amendments and forwarded to Legislative Legal
- Red Team is now meeting weekly. Scenarios have included:
 - Drug Use
 - Inappropriate relationships
 - AWOL
 - Sexual Assault

Changes to the Latest Version

1. Maximum Punishments defined in the Punitive Articles.
 - Sec 26.05.577 through Sec. 26.05.634.
 - One year or less confinement = misdemeanor charge.
2. Clarifies that civilian authorities have right of first refusal.
 - Sec. 26.05.400
3. Long arm provision changed; no jurisdiction over behavior of Servicemembers outside the state who are not on orders.
 - Sec. 26.05.403

Additional Changes to the Latest Version

1. Amends title relating to jurisdiction of the supreme court over petitions from the Military Appeals Commission
2. Creates three strikes system in DUI provision.
 - Sec. 26.05.611
3. Expands system of alternates
 - Sec. 26.05.460 Absent and additional members (court martial)
 - Sec. 26.05.538 (i) (Military Appeals Commission)

Good Order and Discipline



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graph TD; A[Good Order and Discipline] --- B[ACMJ  
Courts-Martial,  
Non-Judicial Punishment]; A --- C[Administrative Actions]; A --- D[Alaska Criminal Law];
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ACMJ

**Courts-Martial,
Non-Judicial Punishment**

Administrative Actions

Alaska Criminal Law

Moving Forward

1. This version of HB 126 is again supported by the AKNG.
2. AKNG feels that the bill as written now would create a functioning system of military justice.
3. Nonjudicial Punishment regulation is being worked through by Red Team. Preliminary results are positive.
4. AKNG desires that HB 126 is passed during the 2016 session, so that implementation can begin in summer of that year.

QUESTIONS?

For further questions or comments at a later date
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