

AMENDMENT

OFFERED IN THE SENATE
TO: CSSSSB 91(STA)

BY SENATOR COGHILL

Page 41, following line 30:

Insert new bill sections to read:

"* **Sec. 67.** AS 12.55.125(a) is amended to read:

(a) A defendant convicted of murder in the first degree or murder of an unborn child under AS 11.41.150(a)(1) shall be sentenced to a definite term of imprisonment of at least 25 [20] years but not more than 99 years. A defendant convicted of murder in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years when

(1) the defendant is convicted of the murder of a uniformed or otherwise clearly identified peace officer, firefighter, or correctional employee who was engaged in the performance of official duties at the time of the murder;

(2) the defendant has been previously convicted of

(A) murder in the first degree under AS 11.41.100 or former AS 11.15.010 or 11.15.020;

(B) murder in the second degree under AS 11.41.110 or former AS 11.15.030; or

(C) homicide under the laws of another jurisdiction when the offense of which the defendant was convicted contains elements similar to first degree murder under AS 11.41.100 or second degree murder under AS 11.41.110;

(3) the defendant subjected the murder victim to substantial physical torture;

(4) the defendant is convicted of the murder of and personally caused

1 the death of a person, other than a participant, during a robbery; or

2 (5) the defendant is a peace officer who used the officer's authority as a
3 peace officer to facilitate the murder.

4 * **Sec. 68.** AS 12.55.125(b) is amended to read:

5 (b) A defendant convicted of attempted murder in the first degree, solicitation
6 to commit murder in the first degree, conspiracy to commit murder in the first degree,
7 kidnapping, or misconduct involving a controlled substance in the first degree shall be
8 sentenced to a definite term of imprisonment of at least five years but not more than
9 99 years. A defendant convicted of murder in the second degree or murder of an
10 unborn child under AS 11.41.150(a)(2) - (4) shall be sentenced to a definite term of
11 imprisonment of at least **15** [10] years but not more than 99 years. A defendant
12 convicted of murder in the second degree shall be sentenced to a definite term of
13 imprisonment of at least 20 years but not more than 99 years when the defendant is
14 convicted of the murder of a child under 16 years of age and the court finds by clear
15 and convincing evidence that the defendant (1) was a natural parent, a stepparent, an
16 adoptive parent, a legal guardian, or a person occupying a position of authority in
17 relation to the child; or (2) caused the death of the child by committing a crime against
18 a person under AS 11.41.200 - 11.41.530. In this subsection, "legal guardian" and
19 "position of authority" have the meanings given in AS 11.41.470.

20
21 Renumber the following bill sections accordingly.

22
23 Page 86, line 3:

24 Delete "sec. 72"

25 Insert "sec. 74"

26
27 Page 86, line 6:

28 Delete "sec. 92"

29 Insert "sec. 94"

30
31 Page 87, following line 2:

1 Insert new paragraphs to read:

2 "(20) AS 12.55.125(a), as amended by sec. 67 of this Act;

3 (21) AS 12.55.125(b), as amended by sec. 68 of this Act;"

4
5 Renumber the following paragraphs accordingly.

6
7 Page 87, line 3:

8 Delete "sec. 78"

9 Insert "sec. 80"

10
11 Page 87, line 4:

12 Delete "sec. 79"

13 Insert "sec. 81"

14
15 Page 87, line 5:

16 Delete "sec. 85"

17 Insert "sec. 87"

18
19 Page 87, line 6:

20 Delete "sec. 86"

21 Insert "sec. 88"

22
23 Page 87, line 7:

24 Delete "sec. 87"

25 Insert "sec. 89"

26
27 Page 87, line 8:

28 Delete "sec. 136"

29 Insert "sec. 138"

30
31 Page 87, line 26:

1 Delete "sec. 67"
2 Insert "sec. 69"
3
4 Page 87, line 27:
5 Delete "sec. 68"
6 Insert "sec. 70"
7
8 Page 87, line 28:
9 Delete "sec. 69"
10 Insert "sec. 71"
11
12 Page 87, line 29:
13 Delete "sec. 70"
14 Insert "sec. 72"
15
16 Page 87, line 30:
17 Delete "sec. 71"
18 Insert "sec. 73"
19
20 Page 87, line 31:
21 Delete "sec. 72"
22 Insert "sec. 74"
23
24 Page 88, line 1:
25 Delete "sec. 81"
26 Insert "sec. 83"
27
28 Page 88, line 2:
29 Delete "sec. 84"
30 Insert "sec. 86"
31

1 Page 88, line 3:
2 Delete "sec. 93"
3 Insert "sec. 95"
4
5 Page 88, line 4:
6 Delete "sec. 94"
7 Insert "sec. 96"
8
9 Page 88, line 5:
10 Delete "sec. 95"
11 Insert "sec. 97"
12
13 Page 88, line 6:
14 Delete "sec. 96"
15 Insert "sec. 98"
16
17 Page 88, line 7:
18 Delete "sec. 97"
19 Insert "sec. 99"
20
21 Page 88, line 8:
22 Delete "sec. 98"
23 Insert "sec. 100"
24
25 Page 88, line 9:
26 Delete "sec. 100"
27 Insert "sec. 102"
28
29 Page 88, line 10:
30 Delete "sec. 102"
31 Insert "sec. 104"

1
2 Page 88, line 11:
3 Delete "sec. 127"
4 Insert "sec. 129"
5
6 Page 88, line 12:
7 Delete "sec. 128"
8 Insert "sec. 130"
9
10 Page 89, line 3:
11 Delete "sec. 89"
12 Insert "sec. 91"
13
14 Page 89, line 4:
15 Delete "sec. 90"
16 Insert "sec. 92"
17
18 Page 89, line 8:
19 Delete "sec. 75"
20 Insert "sec. 77"
21
22 Page 89, line 9:
23 Delete "sec. 76"
24 Insert "sec. 78"
25
26 Page 89, line 10:
27 Delete "sec. 77"
28 Insert "sec. 79"
29
30 Page 89, line 11:
31 Delete "sec. 83"

1 Insert "sec. 85"
2
3 Page 89, line 14:
4 Delete "sec. 101"
5 Insert "sec. 103"
6
7 Page 89, line 15:
8 Delete "sec. 108"
9 Insert "sec. 110"
10
11 Page 89, line 16:
12 Delete "sec. 109"
13 Insert "sec. 111"
14
15 Page 89, line 17:
16 Delete "sec. 110"
17 Insert "sec. 112"
18
19 Page 89, line 18:
20 Delete "sec. 111"
21 Insert "sec. 113"
22
23 Page 89, line 19:
24 Delete "sec. 112"
25 Insert "sec. 114"
26
27 Page 89, line 20:
28 Delete "sec. 113"
29 Insert "sec. 115"
30
31 Page 89, line 21:

1 Delete "sec. 114"
2 Insert "sec. 116"
3
4 Page 89, line 22:
5 Delete "sec. 115"
6 Insert "sec. 117"
7
8 Page 89, line 23:
9 Delete "sec. 116"
10 Insert "sec. 118"
11
12 Page 89, line 24:
13 Delete "sec. 117"
14 Insert "sec. 119"
15
16 Page 89, line 25:
17 Delete "sec. 118"
18 Insert "sec. 120"
19
20 Page 89, line 26:
21 Delete "sec. 119"
22 Insert "sec. 121"
23
24 Page 89, line 27:
25 Delete "sec. 120"
26 Insert "sec. 122"
27
28 Page 89, line 28:
29 Delete "sec. 121"
30 Insert "sec. 123"
31

1 Page 89, line 29:
2 Delete "sec. 122"
3 Insert "sec. 124"
4
5 Page 89, line 30:
6 Delete "sec. 123"
7 Insert "sec. 125"
8
9 Page 89, line 31:
10 Delete "sec. 124"
11 Insert "sec. 126"
12
13 Page 90, line 1:
14 Delete "sec. 125"
15 Insert "sec. 127"
16
17 Page 90, line 2:
18 Delete "secs. 137 - 139"
19 Insert "secs. 139 - 141"
20
21 Page 90, line 3:
22 Delete "137 - 139"
23 Insert "139 - 141"
24
25 Page 90, line 18:
26 Delete "sec. 92"
27 Insert "sec. 94"
28
29 Page 90, line 19:
30 Delete "sec. 134"
31 Insert " sec. 136"

1
2 Page 90, line 22:
3 Delete "sec. 135"
4 Insert "sec. 137"
5
6 Page 90, line 29:
7 Delete "sec. 137"
8 Insert "sec. 139"
9
10 Page 90, line 31:
11 Delete "sec. 142(a)"
12 Insert "sec. 144(a)"
13
14 Page 91, line 3:
15 Delete "sec. 142(b)"
16 Insert "sec. 144(b)"
17
18 Page 91, line 6:
19 Delete "sec. 142(b)"
20 Insert "sec. 144(b)"
21
22 Page 91, line 9:
23 Delete "sec. 142(c)"
24 Insert "sec. 144(c)"
25
26 Page 91, line 12:
27 Delete "sec. 142(d)"
28 Insert "sec. 144(d)"
29
30 Page 91, line 15:
31 Delete "sec. 72"

1 Insert "sec. 74"
2 Delete "sec. 142(e)"
3 Insert "sec. 144(e)"
4
5 Page 91, line 18:
6 Delete "sec. 92"
7 Insert "sec. 94"
8 Delete "sec. 142(f)"
9 Insert "sec. 144(f)"
10
11 Page 91, line 23:
12 Delete "Section 141"
13 Insert "Section 143"
14
15 Page 91, line 25:
16 Delete "sec. 135"
17 Insert "sec. 137"
18
19 Page 91, line 28:
20 Delete "sec. 135"
21 Insert "sec. 137"
22
23 Page 91, line 30:
24 Delete "sec. 135"
25 Insert "sec. 137"
26
27 Page 92, line 2:
28 Delete "92, and 134"
29 Insert "94, and 136"
30
31 Page 92, line 3:

1 Delete "sec. 137"

2 Insert "sec. 139"

3

4 Page 92, line 5:

5 Delete "Sections 138 and 139"

6 Insert "Sections 140 and 141"

7

8 Page 92, line 6:

9 Delete "sec. 141"

10 Insert "sec. 143"

11 Delete "sec. 146"

12 Insert "sec. 148"

13

14 Page 92, line 8:

15 Delete "sec. 146"

16 Insert "sec. 148"