

AMENDMENT #7

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 25, lines 16 - 18:

2 Delete "[THE CONTACTING OFFICER REASONABLY BELIEVES THE
3 PERSON IS A DANGER TO SELF OR OTHERS;

4 (3)]"

5 Insert "the peace [CONTACTING] officer reasonably believes the person is a danger
6 to [SELF OR] others;

7 (3)"

8

9 Renumber the following paragraphs accordingly.

10

11 Page 25, line 22, following "AS 11.56.750,":

12 Insert "disorderly conduct under AS 11.61.110,"

13

14 Page 26, line 23:

15 Delete ", and who"

16 Insert "and the person"

17

18 Page 27, line 26:

19 Delete "only receive"

20 Insert "receive only"

21

22 Page 32, lines 4 - 8:

23 Delete all material and insert:

1 "(14) require the person to comply with a program established under
2 AS 47.38.020 if the person has been charged with an alcohol-related or substance-
3 abuse-related offense;"
4

5 Page 33, line 7:

6 Delete "or bail review hearing"

7 Insert ", bail review hearing, or bail hearing in connection with a petition to revoke
8 probation"
9

10 Page 40, line 27, through page 41, line 4:

11 Delete all material and insert:

12 **** Sec. 70.** AS 12.55.055(a) is amended to read:

13 (a) The court may order a defendant convicted of an offense to perform
14 community work as a condition of probation, a suspended sentence, [OR] suspended
15 imposition of sentence, or suspended entry of judgment, or in addition to any fine or
16 restitution ordered. If the defendant is sentenced to imprisonment, the court may
17 recommend to the Department of Corrections that the defendant perform community
18 work."
19

20 Page 42, lines 25 - 26:

21 Delete all material and insert:

22 "(f) The court may not suspend the imposition or entry of judgment and may
23 not defer prosecution under this section of a person who"
24

25 Page 44, line 24:

26 Delete "and"
27

28 Page 44, following line 24:

29 Insert a new paragraph to read:

30 "(4) is currently in compliance with all conditions of probation for all
31 of the cases for which the person is on probation; and"

1

2 Renumber the following paragraph accordingly.

3

4 Page 46, line 6:

5 Delete "paragraph"

6 Insert "subparagraph [PARAGRAPH]"

7

8 Page 48, line 12:

9 Delete "result from"

10 Insert "constitute"

11

12 Page 48, line 13:

13 Delete "commission of"

14

15 Page 51, line 11:

16 Delete "or"

17

18 Page 51, line 15:

19 Delete "the"

20

21 Page 52, line 12:

22 Delete "fifth"

23 Insert "fourth"

24

25 Page 52, lines 12 - 13:

26 Delete "a person convicted of"

27

28 Page 52, line 13:

29 Delete "sixth"

30 Insert "fifth"

31

1 Page 53, line 3:

2 Delete "aggravating factors in"

3 Insert "an aggravating factor under"

4

5 Page 53, line 10:

6 Delete "20 days"

7 Insert "not later than 10 days"

8

9 Page 53, line 11:

10 Delete "within"

11 Insert "not later than"

12

13 Page 53, line 14, following "(C)":

14 Insert "not later than"

15

16 Page 53, line 15, following "court":

17 Insert "unless the defendant waives the notice requirement"

18

19 Page 72, line 14, through page 76, line 17:

20 Delete all material and insert:

21 "(c) A pretrial services officer shall recommend for release on personal
22 recognizance, upon execution of an unsecured appearance bond, or upon execution of
23 an unsecured performance bond, with nonmonetary conditions as appropriate, if a
24 defendant is charged with

25 (1) a misdemeanor, unless that misdemeanor is

26 (A) a crime involving domestic violence, as defined in
27 AS 18.66.990;

28 (B) a crime against the person under AS 11.41;

29 (C) an offense under AS 11.56.730 or 11.56.757;

30 (2) a class C felony unless that felony is

31 (A) a crime involving domestic violence, as defined in

1 AS 18.66.990;

2 (B) a crime against the person under AS 11.41;

3 (C) an offense under AS 11.56.730;

4 (3) an offense under AS 28.35.030 or 28.35.032, if the defendant has
5 been assessed as being low or moderate risk on the pretrial risk assessment.

6 (d) A pretrial services officer shall recommend release on personal
7 recognizance, upon execution of an unsecured appearance bond, or upon execution of
8 an unsecured performance bond, with nonmonetary conditions as appropriate, unless
9 the pretrial services officer finds

10 (1) by substantial evidence that no nonmonetary conditions of release
11 in combination with release on personal recognizance or upon execution of unsecured
12 bond can reasonably ensure public safety and appearance in court; and

13 (2) the defendant has been charged with

14 (A) an offense under AS 28.35.030 or 28.35.032, and the
15 offender has been assessed as high risk under a pretrial risk assessment;

16 (B) an offense under AS 11.56.730 or 11.56.757, and the
17 offender has been assessed as low to moderate risk under a pretrial risk
18 assessment; or

19 (C) any other offense, and the defendant has been assessed as
20 being low risk under a pretrial risk assessment.

21 (e) A pretrial services officer may supervise a defendant released while
22 awaiting trial, imposing the least restrictive level of supervision that will reasonably
23 ensure the appearance of the person in court and the safety of the victim, other
24 persons, and the community, and prioritizing higher levels of supervision for a
25 defendant accused of serious charges or assessed as moderate or high risk under a
26 pretrial risk assessment. The commissioner may, in accordance with AS 36.30,
27 procure and enter into agreements or contracts for the supervision of defendants on
28 electronic monitoring during the pretrial period."
29

30 Reletter the following subsection accordingly.

31

1 Page 76, line 22:

2 Delete "arrest a defendant who has been released pretrial without a warrant"

3 Insert "arrest, without a warrant, a defendant who has been released while awaiting
4 trial"

5
6 Page 78, line 23:

7 Delete "AS 33.16.050"

8 Insert "AS 33.16.150"

9
10 Page 78, line 26:

11 Delete "established"

12 Insert ", including completing programming in the case plan,"

13
14 Page 78, line 31, through page 79, line 2:

15 Delete all material and insert:

16 "(c) If a victim makes a request at least 60 days before the prisoner's earliest
17 parole eligibility date for a hearing under AS 33.16.120, the board shall conduct the
18 hearing not later than 30 days before the prisoner's earliest parole eligibility date. The
19 board may release or deny release of a prisoner on administrative parole after the
20 hearing.

21 (d) The board shall send notice to the victim at least 90 days before the
22 prisoner's earliest parole eligibility date and provide instructions on how to request a
23 hearing under AS 33.16.120."

24
25 Page 83, lines 15 - 19:

26 Delete "[AND]

27 (9) other relevant information that may be reasonably available;

28 **(10) the case plan created under AS 33.30.011(8) for the prisoner,**
29 **including a compliance report on the case plan; and**

30 **(11) a reentry plan created under AS 33.30.011(9)."**
31

1 Insert "**(9) the case plan created under AS 33.30.011(8) for the prisoner, including**
2 **a compliance report on the case plan;**

3 **(10) a reentry plan created under AS 33.30.011(9); and**

4 **(11) [AND (9)] other relevant information that may be reasonably**
5 available."

6
7 Page 84, line 7, following "violence":

8 Insert "or of a sexual assault under AS 11.41.110 - 11.41.427"

9
10 Page 91, line 24, through page 92, line 3:

11 Delete all material and insert:

12 **"* Sec. 143.** AS 33.16.210 is amended by adding a new subsection to read:

13 (c) A parole officer shall recommend to the board early discharge for all
14 parolees who

15 (1) have completed at least one year on parole;

16 (2) have completed all treatment programs required as a condition of
17 parole;

18 (3) have not been found in violation of conditions of parole by the
19 board for at least one year; and

20 (4) have not been convicted of

21 (A) an unclassified felony offense under AS 11;

22 (B) a sexual felony as defined by AS 12.55.185;

23 (C) a crime involving domestic violence as defined by
24 AS 18.66.990; or

25 (D) a misdemeanor."
26

27 Page 92, line 5:

28 Delete "a technical violation"

29 Insert "technical and other violations"

30
31 Page 92, following line 23:

1 Insert a new subsection to read:

2 "(d) If the defendant is ordered to complete treatment under
3 AS 33.16.150(a)(3) and does not comply with the board's order, the board may order
4 the parolee to show cause why the board should not revoke the parole for
5 noncompletion of treatment. In a parole revocation proceeding brought as a result of
6 failure to complete treatment, it is an affirmative defense that the parolee was unable
7 to afford the cost of treatment or secure a place in a free treatment program, despite
8 having made continuing good faith efforts. If the board finds that the parolee was
9 unable to complete treatment despite having made continuing good faith efforts, the
10 parole may not be revoked solely because of an inability to pay. If the board does not
11 find that the noncompletion of treatment was attributable to the parolee's inability to
12 pay, the board may revoke parole subject to the limits established in this section."
13

14 Reletter the following subsection accordingly.

15

16 Page 92, line 30:

17 Delete "result from"

18 Insert "constitute"

19

20 Page 92, line 31:

21 Delete "commission of"

22

23 Page 93, line 27:

24 Delete "cannot"

25 Insert "may not"

26

27 Page 95, lines 15 - 20:

28 Delete all material and insert:

29 **** Sec. 153.** AS 33.20.010(c) is amended to read:

30 (c) A prisoner may not be awarded a good time deduction under (a) of this
31 section for any time [PERIOD] spent [IN A TREATMENT PROGRAM,] in a private

1 residence **unless, during that time, the prisoner was** [, OR WHILE] under electronic
2 monitoring."
3

4 Page 95, line 21:

5 Delete "a new subsection"

6 Insert "new subsections"
7

8 Page 95, following line 21:

9 Insert a new subsection to read:

10 "(d) A prisoner may be awarded a good time deduction under (a) of this
11 section for any time spent in a treatment program."
12

13 Reletter the following subsection accordingly.
14

15 Page 97, line 10, following "program;":

16 Insert "**the program must include a requirement for an assessment before a**
17 **prisoner's release on parole, furlough, or electronic monitoring from a**
18 **correctional facility;**"
19

20 Page 102, line 30:

21 Delete the second occurrence of "and"
22

23 Page 103, line 1, following "reform":

24 Insert "; and

25 (4) explore the possibility of entering into mutually agreeable
26 arrangements with regional nonprofit organizations, including tribes and tribal
27 organizations, to provide the pretrial, probation, and parole services needed in
28 underserved areas of the state"
29

30 Page 110, lines 16 - 19:

31 Delete "**(A) assessments are conducted using a validated risk and needs**"

1 assessment tool; and

2
3 (B) supervision of participants is appropriate to the
4 assessed risk of re-offense of the participant."

5 Insert "(A) screenings are conducted using a validated risk tool; and

6 (B) monitoring of participants is appropriate to the risk of
7 reoffense of the participant as determined by the screening."

8 Page 110, lines 23 - 25:

9 Delete "(1) assessment of eligible participants to determine the risk of the person to
10 re-offend and the criminal risk factors that are contributing to the risk; and

11 (2) supervision of participants based on the assessed risk to re-offend."

12 Insert "(1) screening of eligible persons to determine the risk of the person to reoffend
13 and the criminal risk factors that are contributing to the risk; and

14 (2) monitoring of participants based on the risk to reoffend as
15 determined by the screening."

AMENDMENT #2

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 17, lines 16 - 20:

2 Delete all material and insert:

3 "(1) [UNDER CIRCUMSTANCES NOT PROSCRIBED UNDER
4 AS 11.71.020(a)(2) - (6),] manufactures or delivers, [ANY AMOUNT OF A
5 SCHEDULE IIA OR IIIA CONTROLLED SUBSTANCE] or possesses [ANY
6 AMOUNT OF A SCHEDULE IIA OR IIIA CONTROLLED SUBSTANCE] with
7 intent to manufacture or deliver, one or more preparations, compounds, mixtures,
8 or substances of an aggregate weight of 2.5 grams or more containing a schedule
9 IA, IIA, or IIIA controlled substance;"

10
11 Page 22, lines 7 - 9:

12 Delete all material and insert:

13 "(11) manufactures or delivers, or possesses with the intent to
14 manufacture or deliver, one or more preparations, compounds, mixtures, or
15 substances of an aggregate weight of less than 2.5 grams containing a schedule
16 IA, IIA, or IIIA controlled substance."

AMENDMENT #3

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

- 1 Page 43, line 30:
- 2 Delete "involving domestic violence"
- 3 Insert "under AS 11.41.230"

AMENDMENT #4

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 48, line 13:

2 Delete "or"

3

4 Page 48, line 14, following "treatment":

5 Insert "; or

6

7

(C) failing to complete an intervention program for batterers"

8 Page 92, line 31:

9 Delete "or"

10

11 Page 93, line 1, following "treatment":

12 Insert "; or

13

(C) failing to complete an intervention program for batterers"

AMENDMENT #5

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 48, following line 20:

2 Insert a new bill section to read:

3 **** Sec. 82.** AS 12.55.125(a) is amended to read:

4 (a) A defendant convicted of murder in the first degree or murder of an unborn
5 child under AS 11.41.150(a)(1) shall be sentenced to a definite term of imprisonment
6 of at least 30 [20] years but not more than 99 years. A defendant convicted of murder
7 in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years
8 when

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

12 (2) the defendant has been previously convicted of

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

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

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

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

23 (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

5 Renumber the following bill sections accordingly.
6

7 Page 51, following line 5:

8 Insert a new bill section to read:

9 **** Sec. 86.** AS 12.55.127(c) is amended to read:

10 (c) If the defendant is being sentenced for

11 (1) escape, the term of imprisonment shall be consecutive to the term
12 for the underlying crime;

13 (2) two or more crimes under AS 11.41, a consecutive term of
14 imprisonment shall be imposed for at least

15 (A) the mandatory minimum term under AS 12.55.125(a) for
16 each additional crime that is murder in the first degree;

17 **(B) one-fourth of the mandatory minimum term under**
18 **AS 12.55.125(b) for each additional crime that is murder in the second**
19 **degree;**

20 **(C) [(B)]** the mandatory minimum term for each additional
21 crime that is an unclassified felony governed by AS 12.55.125(b) **other than**
22 **murder in the second degree;**

23 **(D) [(C)]** the presumptive term specified in AS 12.55.125(c) or
24 the active term of imprisonment, whichever is less, for each additional crime
25 that is

26 (i) manslaughter; or

27 (ii) kidnapping that is a class A felony;

28 **(E) [(D)]** two years or the active term of imprisonment,
29 whichever is less, for each additional crime that is criminally negligent
30 homicide;

31 **(F) [(E)]** one-fourth of the presumptive term under

1 AS 12.55.125(c) or (i) for each additional crime that is sexual assault in the
2 first degree under AS 11.41.410 or sexual abuse of a minor in the first degree
3 under AS 11.41.434, or an attempt, solicitation, or conspiracy to commit those
4 offenses; and

5 (G) [(F)] some additional term of imprisonment for each
6 additional crime, or each additional attempt or solicitation to commit the
7 offense, under AS 11.41.200 - 11.41.250, 11.41.420 - 11.41.432, 11.41.436 -
8 11.41.458, or 11.41.500 - 11.41.520."
9

10 Renumber the following bill sections accordingly.

11

12 Page 113, line 12:

13 Delete "sec. 87"

14 Insert "sec. 89"

15

16 Page 113, line 15:

17 Delete "sec. 116"

18 Insert "sec. 118"

19

20 Page 116, following line 12:

21 Insert new paragraphs to read:

22 "(29) AS 12.55.125(a), as amended by sec. 82 of this Act;

23 (30) AS 12.55.127(c), as amended by sec. 86 of this Act;"

24

25 Renumber the following paragraphs accordingly.

26

27 Page 116, line 13:

28 Delete "sec. 99"

29 Insert "sec. 101"

30

31 Page 116, line 14:

1 Delete "sec. 100"

2 Insert "sec. 102"

3

4 Page 116, line 15:

5 Delete "sec. 110"

6 Insert "sec. 112"

7

8 Page 116, line 16:

9 Delete "sec. 111"

10 Insert "sec. 113"

11

12 Page 116, line 17:

13 Delete "sec. 112"

14 Insert "sec. 114"

15

16 Page 116, line 18:

17 Delete "sec. 160"

18 Insert "sec. 162"

19

20 Page 116, line 19:

21 Delete "sec. 167"

22 Insert "sec. 169"

23

24 Page 117, line 5:

25 Delete "sec. 152"

26 Insert "sec. 154"

27

28 Page 117, line 11:

29 Delete "sec. 103"

30 Insert "sec. 105"

31

1 Page 117, line 12:

2 Delete "sec. 107"

3 Insert "sec. 109"

4

5 Page 117, line 13:

6 Delete "sec. 119"

7 Insert "sec. 121"

8

9 Page 117, line 14:

10 Delete "sec. 121"

11 Insert "sec. 123"

12

13 Page 118, line 12:

14 Delete "sec. 114"

15 Insert "sec. 116"

16

17 Page 118, line 16:

18 Delete "sec. 95"

19 Insert "sec. 97"

20

21 Page 118, line 17:

22 Delete "sec. 96"

23 Insert "sec. 98"

24

25 Page 118, line 18:

26 Delete "sec. 98"

27 Insert "sec. 100"

28

29 Page 118, line 19:

30 Delete "sec. 105"

31 Insert "sec. 107"

1

2 Page 118, line 22:

3 Delete "sec. 117"

4 Insert "sec. 119"

5

6 Page 118, line 23:

7 Delete "sec. 118"

8 Insert "sec. 120"

9

10 Page 118, line 24:

11 Delete "sec. 120"

12 Insert "sec. 122"

13

14 Page 118, line 25:

15 Delete "sec. 122"

16 Insert "sec. 124"

17

18 Page 118, line 26:

19 Delete "sec. 124"

20 Insert "sec. 126"

21

22 Page 118, line 27:

23 Delete "sec. 125"

24 Insert "sec. 127"

25

26 Page 118, line 28:

27 Delete "sec. 126"

28 Insert "sec. 128"

29

30 Page 118, line 29:

31 Delete "sec. 132"

- 1 Insert "sec. 134"
- 2
- 3 Page 118, line 30:
- 4 Delete "sec. 133"
- 5 Insert "sec. 135"
- 6
- 7 Page 118, line 31:
- 8 Delete "sec. 134"
- 9 Insert "sec. 136"
- 10
- 11 Page 119, line 1:
- 12 Delete "sec. 135"
- 13 Insert "sec. 137"
- 14
- 15 Page 119, line 2:
- 16 Delete "sec. 136"
- 17 Insert "sec. 138"
- 18
- 19 Page 119, line 3:
- 20 Delete "sec. 137"
- 21 Insert "sec. 139"
- 22
- 23 Page 119, line 4:
- 24 Delete "sec. 138"
- 25 Insert "sec. 140"
- 26
- 27 Page 119, line 5:
- 28 Delete "sec. 139"
- 29 Insert "sec. 141"
- 30
- 31 Page 119, line 6:

- 1 Delete "sec. 141"
- 2 Insert "sec. 143"
- 3
- 4 Page 119, line 7:
- 5 Delete "sec. 175"
- 6 Insert "sec. 177"
- 7
- 8 Page 119, line 8:
- 9 Delete "175"
- 10 Insert "177"
- 11
- 12 Page 119, line 20:
- 13 Delete "sec. 116"
- 14 Insert "sec. 118"
- 15
- 16 Page 119, line 23:
- 17 Delete "sec. 140"
- 18 Insert "sec. 142"
- 19
- 20 Page 119, line 24:
- 21 Delete "sec. 142"
- 22 Insert "sec. 144"
- 23
- 24 Page 119, line 25:
- 25 Delete "sec. 143"
- 26 Insert "sec. 145"
- 27
- 28 Page 119, line 26:
- 29 Delete "sec. 144"
- 30 Insert "sec. 146"
- 31

1 Page 119, line 27:

2 Delete "sec. 145"

3 Insert "sec. 147"

4

5 Page 119, line 28:

6 Delete "sec. 146"

7 Insert "sec. 148"

8

9 Page 119, line 29:

10 Delete "sec. 147"

11 Insert "sec. 149"

12

13 Page 119, line 30:

14 Delete "sec. 148"

15 Insert "sec. 150"

16

17 Page 119, line 31:

18 Delete "sec. 149"

19 Insert "sec. 151"

20

21 Page 120, line 1:

22 Delete "sec. 150"

23 Insert "sec. 152"

24

25 Page 120, line 2:

26 Delete "sec. 113"

27 Insert "sec. 115"

28

29 Page 120, line 3:

30 Delete "sec. 113"

31 Insert "sec. 115"

1

2 Page 120, line 4:

3 Delete "sec. 113"

4 Insert "sec. 115"

5

6 Page 120, line 5:

7 Delete "sec. 113"

8 Insert "sec. 115"

9

10 Page 120, line 6:

11 Delete "sec. 153"

12 Insert "sec. 155"

13

14 Page 120, line 7:

15 Delete "sec. 153"

16 Insert "sec. 155"

17

18 Page 120, line 8:

19 Delete "sec. 153"

20 Insert "sec. 155"

21

22 Page 120, line 9:

23 Delete "sec. 153"

24 Insert "sec. 155"

25

26 Page 120, line 20:

27 Delete "sec. 82"

28 Insert "sec. 83"

29

30 Page 120, line 21:

31 Delete "sec. 83"

- 1 Insert "sec. 84"
- 2
- 3 Page 120, line 22:
- 4 Delete "sec. 84"
- 5 Insert "sec. 85"
- 6
- 7 Page 120, line 23:
- 8 Delete "sec. 85"
- 9 Insert "sec. 87"
- 10
- 11 Page 120, line 24:
- 12 Delete "sec. 86"
- 13 Insert "sec. 88"
- 14
- 15 Page 120, line 25:
- 16 Delete "sec. 87"
- 17 Insert "sec. 89"
- 18
- 19 Page 120, line 26:
- 20 Delete "sec. 153"
- 21 Insert "sec. 155"
- 22
- 23 Page 120, line 30:
- 24 Delete "sec. 175"
- 25 Insert "sec. 177"
- 26
- 27 Page 121, line 2:
- 28 Delete "sec. 179(a)"
- 29 Insert "sec. 181(a)"
- 30
- 31 Page 121, line 4:

1 Delete "sec. 179(b)"

2 Insert "sec. 181(b)"

3

4 Page 121, line 7:

5 Delete "sec. 179(c)"

6 Insert "sec. 181(c)"

7

8 Page 121, line 10:

9 Delete "sec. 87"

10 Insert "sec. 89"

11 Delete "sec. 179(d)"

12 Insert "sec. 181(d)"

13

14 Page 121, line 13:

15 Delete "sec. 116"

16 Insert "sec. 118"

17 Delete "sec. 179(e)"

18 Insert "sec. 181(e)"

19

20 Page 121, line 16:

21 Delete "Sections 89 and 91"

22 Insert "Sections 91 and 93"

23

24 Page 121, lines 17 - 18:

25 Delete "82 - 88, 95, 96, 98 - 100, 102, 105, 110 - 112, 153, 159 - 168, 178, 179(b),
26 179(c), and 179(d)"

27 Insert "83 - 90, 97, 98, 100 - 102, 104, 107, 112 - 114, 155, 161 - 170, 180, 181(b),
28 181(c), and 181(d)"

29

30 Page 121, line 20:

31 Delete "Section 92"

1 Insert "Section 94"

2

3 Page 121, lines 21 - 22:

4 Delete "90, 103, 104, 107, 113 - 115, 117 - 152, 155 - 157, and 169 - 171"

5 Insert "92, 105, 106, 109, 115 - 117, 119 - 154, 157 - 159, and 171 - 173"

6

7 Page 121, line 23:

8 Delete "116, 176, 177, 179(a), and 179(e)"

9 Insert "118, 178, 179, 181(a), and 181(e)"

10

11 Page 121, line 25:

12 Delete "Section 158"

13 Insert "Section 160"

14

15 Page 121, line 26:

16 Delete "sec. 175"

17 Insert "sec. 177"

AMENDMENT # 6

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

- 1 Page 71, line 15, following "Safety,":
- 2 Insert "the office of victims' rights,"

AMENDMENT #7

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 79, line 22, through page 81, line 14:

2 Delete all material and insert:

3 **"* Sec. 123.** AS 33.16.090(b) is amended to read:

4 (b) A prisoner eligible under (a)(1) [(a)] of this section who is sentenced

5 (1) to a single sentence under AS 12.55.125(a) or (b) may not be
6 released on discretionary parole until the prisoner has served the mandatory minimum
7 term under AS 12.55.125(a) or (b), one-third of the active term of imprisonment
8 imposed, or any term set under AS 12.55.115, whichever is greatest;

9 (2) to a single sentence within or below a presumptive range set out in
10 AS 12.55.125(i)(1) and (2) [AS 12.55.125(c), (d)(2) - (4), (e)(3) AND (4), OR (i)],
11 and has not been allowed by the three-judge panel under AS 12.55.175 to be
12 considered for discretionary parole release, may not be released on discretionary
13 parole until the prisoner has served the term imposed, less good time earned under
14 AS 33.20.010;

15 (3) to a single sentence under AS 12.55.125(i) [AS 12.55.125(c), (d)(2)
16 - (4), (e)(3) AND (4), OR (i)], and has been allowed by the three-judge panel under
17 AS 12.55.175 to be considered for discretionary parole release during the second half
18 of the sentence, may not be released on discretionary parole until

19 (A) the prisoner has served that portion of the active term of
20 imprisonment required by the three-judge panel; and

21 (B) in addition to the factors set out in AS 33.16.100(a), the
22 board determines that

23 (i) the prisoner has successfully completed all

1 rehabilitation programs ordered by the three-judge panel that were
2 made available to the prisoner; and

3 (ii) the prisoner would not constitute a danger to the
4 public if released on parole;

5 (4) to a single enhanced sentence under AS 12.55.155(a) that is above
6 the applicable presumptive range may not be released on discretionary parole until the
7 prisoner has served the greater of the following:

8 (A) an amount of time, less good time earned under
9 AS 33.20.010, equal to the upper end of the presumptive range plus one-fourth
10 of the amount of time above the presumptive range; or

11 (B) any term set under AS 12.55.115;

12 (5) to a single sentence under any other provision of law may not be
13 released on discretionary parole until the prisoner has served at least one-fourth of the
14 active term of imprisonment, any mandatory minimum sentence imposed under any
15 provision of law, or any term set under AS 12.55.115, whichever is greatest;

16 (6) to concurrent sentences may not be released on discretionary parole
17 until the prisoner has served the greatest of

18 (A) any mandatory minimum sentence or sentences imposed
19 under any provision of law;

20 (B) any term set under AS 12.55.115; or

21 (C) the amount of time that is required to be served under (1) -
22 (5) of this subsection for the sentence imposed for the primary crime, had that
23 been the only sentence imposed;

24 (7) to consecutive or partially consecutive sentences may not be
25 released on discretionary parole until the prisoner has served the greatest of

26 (A) the composite total of any mandatory minimum sentence or
27 sentences imposed under any provision of law, including AS 12.55.127;

28 (B) any term set under AS 12.55.115; or

29 (C) the amount of time that is required to be served under (1) -
30 (5) of this subsection for the sentence imposed for the primary crime, had that
31 been the only sentence imposed, plus one-quarter of the composite total of the

1 active term of imprisonment imposed as consecutive or partially consecutive
2 sentences imposed for all crimes other than the primary crime;

3 (8) to a single sentence under AS 12.55.125(i)(3) and (4), and has
4 not been allowed by the three-judge panel under AS 12.55.175 to be considered
5 for discretionary parole release, may not be released on discretionary parole until
6 the prisoner has served, after a deduction for good time earned under
7 AS 33.20.010, one-half of the active term of imprisonment imposed."

AMENDMENT #8

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 39, following line 17:

2 Insert a new bill section to read:

3 **"* Sec. 67. AS 12.55.027(d) is amended to read:**

4 (d) A court may grant credit against a sentence of imprisonment for time spent
5 under electronic monitoring if the electronic monitoring is administered by the
6 Department of Corrections, the person has not committed a criminal offense while
7 under electronic monitoring, and the court imposes restrictions on the person's
8 freedom of movement and behavior while under the electronic monitoring program,
9 including requiring the person to be confined to a residence except for a

10 (1) court appearance;

11 (2) meeting with counsel; or

12 (3) period during which the person is at a location ordered by the court
13 for the purposes of employment, attending educational or vocational training,
14 performing community volunteer work, or attending a rehabilitative activity or
15 medical appointment."
16

17 Renumber the following bill sections accordingly.
18

19 Page 98, lines 12 - 13:

20 Delete "and procedures for approving electronic monitoring programs provided
21 by private contractors"
22

23 Page 113, line 5:

- 1 Delete "sec. 72"
- 2 Insert "sec. 73"
- 3
- 4 Page 113, line 8:
- 5 Delete "sec. 72"
- 6 Insert "sec. 73"
- 7
- 8 Page 113, line 9:
- 9 Delete "sec. 73"
- 10 Insert "sec. 74"
- 11
- 12 Page 113, line 12:
- 13 Delete "sec. 87"
- 14 Insert "sec. 88"
- 15
- 16 Page 113, line 15:
- 17 Delete "sec. 116"
- 18 Insert "sec. 117"
- 19
- 20 Page 116, line 13:
- 21 Delete "sec. 99"
- 22 Insert "sec. 100"
- 23
- 24 Page 116, line 14:
- 25 Delete "sec. 100"
- 26 Insert "sec. 101"
- 27
- 28 Page 116, line 15:
- 29 Delete "sec. 110"
- 30 Insert "sec. 111"
- 31

1 Page 116, line 16:

2 Delete "sec. 111"

3 Insert "sec. 112"

4

5 Page 116, line 17:

6 Delete "sec. 112"

7 Insert "sec. 113"

8

9 Page 116, line 18:

10 Delete "sec. 160"

11 Insert "sec. 161"

12

13 Page 116, line 19:

14 Delete "sec. 167"

15 Insert "sec. 168"

16

17 Page 116, line 22:

18 Delete "sec. 67"

19 Insert "sec. 68"

20

21 Page 116, line 23:

22 Delete "sec. 68"

23 Insert "sec. 69"

24

25 Page 117, line 5:

26 Delete "sec. 152"

27 Insert "sec. 153"

28

29 Page 117, line 10:

30 Delete "sec. 81"

31 Insert "sec. 82"

1

2 Page 117, line 11:

3 Delete "sec. 103"

4 Insert "sec. 104"

5

6 Page 117, line 12:

7 Delete "sec. 107"

8 Insert "sec. 108"

9

10 Page 117, line 13:

11 Delete "sec. 119"

12 Insert "sec. 120"

13

14 Page 117, line 14:

15 Delete "sec. 121"

16 Insert "sec. 122"

17

18 Page 117, line 21:

19 Delete "sec. 70"

20 Insert "sec. 71"

21

22 Page 117, line 22:

23 Delete "sec. 71"

24 Insert "sec. 72"

25

26 Page 117, line 23:

27 Delete "sec. 72"

28 Insert "sec. 73"

29

30 Page 117, line 24:

31 Delete "sec. 73"

- 1 Insert "sec. 74"
- 2
- 3 Page 117, line 25:
- 4 Delete "sec. 73"
- 5 Insert "sec. 74"
- 6
- 7 Page 117, line 26:
- 8 Delete "sec. 73"
- 9 Insert "sec. 74"
- 10
- 11 Page 117, line 27:
- 12 Delete "sec. 69"
- 13 Insert "sec. 70"
- 14
- 15 Page 117, line 28:
- 16 Delete "sec. 69"
- 17 Insert "sec. 70"
- 18
- 19 Page 117, line 29:
- 20 Delete "sec. 69"
- 21 Insert "sec. 70"
- 22
- 23 Page 117, line 30:
- 24 Delete "sec. 75"
- 25 Insert "sec. 76"
- 26
- 27 Page 117, line 31:
- 28 Delete "sec. 75"
- 29 Insert "sec. 76"
- 30
- 31 Page 118, line 1:

- 1 Delete "sec. 75"
- 2 Insert "sec. 76"
- 3
- 4 Page 118, line 2:
- 5 Delete "sec. 78"
- 6 Insert "sec. 79"
- 7
- 8 Page 118, line 3:
- 9 Delete "sec. 78"
- 10 Insert "sec. 79"
- 11
- 12 Page 118, line 4:
- 13 Delete "sec. 78"
- 14 Insert "sec. 79"
- 15
- 16 Page 118, line 8:
- 17 Delete "sec. 74"
- 18 Insert "sec. 75"
- 19
- 20 Page 118, line 9:
- 21 Delete "sec. 76"
- 22 Insert "sec. 77"
- 23
- 24 Page 118, line 10:
- 25 Delete "sec. 77"
- 26 Insert "sec. 78"
- 27
- 28 Page 118, line 11:
- 29 Delete "sec. 80"
- 30 Insert "sec. 81"
- 31

1 Page 118, line 12:

2 Delete "sec. 114"

3 Insert "sec. 115"

4

5 Page 118, line 16:

6 Delete "sec. 95"

7 Insert "sec. 96"

8

9 Page 118, line 17:

10 Delete "sec. 96"

11 Insert "sec. 97"

12

13 Page 118, line 18:

14 Delete "sec. 98"

15 Insert "sec. 99"

16

17 Page 118, line 19:

18 Delete "sec. 105"

19 Insert "sec. 106"

20

21 Page 118, line 22:

22 Delete "sec. 117"

23 Insert "sec. 118"

24

25 Page 118, line 23:

26 Delete "sec. 118"

27 Insert "sec. 119"

28

29 Page 118, line 24:

30 Delete "sec. 120"

31 Insert "sec. 121"

- 1
- 2 Page 118, line 25:
 - 3 Delete "sec. 122"
 - 4 Insert "sec. 123"
 - 5
- 6 Page 118, line 26:
 - 7 Delete "sec. 124"
 - 8 Insert "sec. 125"
 - 9
- 10 Page 118, line 27:
 - 11 Delete "sec. 125"
 - 12 Insert "sec. 126"
 - 13
- 14 Page 118, line 28:
 - 15 Delete "sec. 126"
 - 16 Insert "sec. 127"
 - 17
- 18 Page 118, line 29:
 - 19 Delete "sec. 132"
 - 20 Insert "sec. 133"
 - 21
- 22 Page 118, line 30:
 - 23 Delete "sec. 133"
 - 24 Insert "sec. 134"
 - 25
- 26 Page 118, line 31:
 - 27 Delete "sec. 134"
 - 28 Insert "sec. 135"
 - 29
- 30 Page 119, line 1:
 - 31 Delete "sec. 135"

1 Insert "sec. 136"

2

3 Page 119, line 2:

4 Delete "sec. 136"

5 Insert "sec. 137"

6

7 Page 119, line 3:

8 Delete "sec. 137"

9 Insert "sec. 138"

10

11 Page 119, line 4:

12 Delete "sec. 138"

13 Insert "sec. 139"

14

15 Page 119, line 5:

16 Delete "sec. 139"

17 Insert "sec. 140"

18

19 Page 119, line 6:

20 Delete "sec. 141"

21 Insert "sec. 142"

22

23 Page 119, line 7:

24 Delete "sec. 175"

25 Insert "sec. 176"

26

27 Page 119, line 8:

28 Delete "175"

29 Insert "176"

30

31 Page 119, line 20:

- 1 Delete "sec. 116"
- 2 Insert "sec. 117"
- 3
- 4 Page 119, line 23:
- 5 Delete "sec. 140"
- 6 Insert "sec. 141"
- 7
- 8 Page 119, line 24:
- 9 Delete "sec. 142"
- 10 Insert "sec. 143"
- 11
- 12 Page 119, line 25:
- 13 Delete "sec. 143"
- 14 Insert "sec. 144"
- 15
- 16 Page 119, line 26:
- 17 Delete "sec. 144"
- 18 Insert "sec. 145"
- 19
- 20 Page 119, line 27:
- 21 Delete "sec. 145"
- 22 Insert "sec. 146"
- 23
- 24 Page 119, line 28:
- 25 Delete "sec. 146"
- 26 Insert "sec. 147"
- 27
- 28 Page 119, line 29:
- 29 Delete "sec. 147"
- 30 Insert "sec. 148"
- 31

1 Page 119, line 30:

2 Delete "sec. 148"

3 Insert "sec. 149"

4

5 Page 119, line 31:

6 Delete "sec. 149"

7 Insert "sec. 150"

8

9 Page 120, line 1:

10 Delete "sec. 150"

11 Insert "sec. 151"

12

13 Page 120, line 2:

14 Delete "sec. 113"

15 Insert "sec. 114"

16

17 Page 120, line 3:

18 Delete "sec. 113"

19 Insert "sec. 114"

20

21 Page 120, line 4:

22 Delete "sec. 113"

23 Insert "sec. 114"

24

25 Page 120, line 5:

26 Delete "sec. 113"

27 Insert "sec. 114"

28

29 Page 120, line 6:

30 Delete "sec. 153"

31 Insert "sec. 154"

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2 Page 120, line 7:

3 Delete "sec. 153"

4 Insert "sec. 154"

5

6 Page 120, line 8:

7 Delete "sec. 153"

8 Insert "sec. 154"

9

10 Page 120, line 9:

11 Delete "sec. 153"

12 Insert "sec. 154"

13

14 Page 120, line 20:

15 Delete "sec. 82"

16 Insert "sec. 83"

17

18 Page 120, line 21:

19 Delete "sec. 83"

20 Insert "sec. 84"

21

22 Page 120, line 22:

23 Delete "sec. 84"

24 Insert "sec. 85"

25

26 Page 120, line 23:

27 Delete "sec. 85"

28 Insert "sec. 86"

29

30 Page 120, line 24:

31 Delete "sec. 86"

- 1 Insert "sec. 87"
- 2
- 3 Page 120, line 25:
- 4 Delete "sec. 87"
- 5 Insert "sec. 88"
- 6
- 7 Page 120, line 26:
- 8 Delete "sec. 153"
- 9 Insert "sec. 154"
- 10
- 11 Page 120, line 30:
- 12 Delete "sec. 175"
- 13 Insert "sec. 176"
- 14
- 15 Page 121, line 2:
- 16 Delete "sec. 179(a)"
- 17 Insert "sec. 180(a)"
- 18
- 19 Page 121, line 4:
- 20 Delete "sec. 72"
- 21 Insert "sec. 73"
- 22 Delete "sec. 179(b)"
- 23 Insert "sec. 180(b)"
- 24
- 25 Page 121, line 7:
- 26 Delete "sec. 73"
- 27 Insert "sec. 74"
- 28 Delete "sec. 179(c)"
- 29 Insert "sec. 180(c)"
- 30
- 31 Page 121, line 10:

1 Delete "sec. 87"

2 Insert "sec. 88"

3 Delete "sec. 179(d)"

4 Insert "sec. 180(d)"

5

6 Page 121, line 13:

7 Delete "sec. 116"

8 Insert "sec. 117"

9 Delete "sec. 179(e)"

10 Insert "sec. 180(e)"

11

12 Page 121, line 16:

13 Delete "Sections 89 and 91"

14 Insert "Sections 90 and 92"

15

16 Page 121, lines 17 - 18:

17 Delete "70 - 73, 75, 82 - 88, 95, 96, 98 - 100, 102, 105, 110 - 112, 153, 159 - 168, 178,
18 179(b), 179(c), and 179(d)"

19 Insert "71 - 74, 76, 83 - 89, 96, 97, 99 - 101, 103, 106, 111 - 113, 154, 160 - 169, 179,
20 180(b), 180(c), and 180(d)"

21

22 Page 121, line 20:

23 Delete "Section 92"

24 Insert "Section 93"

25

26 Page 121, lines 21 - 22:

27 Delete "69, 74, 76 - 81, 90, 103, 104, 107, 113 - 115, 117 - 152, 155 - 157, and 169 -
28 171"

29 Insert "70, 75, 77 - 82, 91, 104, 105, 108, 114 - 116, 118 - 153, 156 - 158, and 170 -
30 172"

31

1 Page 121, line 23:

2 Delete "116, 176, 177, 179(a), and 179(e)"

3 Insert "117, 177, 178, 180(a), and 180(e)"

4

5 Page 121, line 25:

6 Delete "Section 158"

7 Insert "Section 159"

8

9 Page 121, line 26:

10 Delete "sec. 175"

11 Insert "sec. 176"

AMENDMENT #9

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 110, lines 26 - 29:

2 Delete all material and insert:

3 **** Sec. 171.** AS 47.38.020 is amended to read:

4 **Sec. 47.38.020. Alcohol and substance abuse monitoring program.** (a) The
5 commissioner, in cooperation with the commissioner of corrections, shall establish a
6 program using a competitive procurement process for certain persons with release
7 conditions ordered as provided under AS 12.30, or offenders with conditions of
8 probation, that include not consuming controlled substances or alcoholic beverages.

9 (b) The commissioner shall adopt regulations to implement the program. The
10 regulations must include regulations regarding products and services that
11 provide alcohol and substance abuse monitoring.

12 (c) The commissioner shall include in the program

13 (1) a requirement for twice-a-day testing, either remotely or in person
14 [IF PRACTICABLE], for alcoholic beverage use and random testing for controlled
15 substances;

16 (2) a means to provide the probation officer, prosecutor's office, or
17 local law enforcement agency with notice within 24 hours, so that a complaint may be
18 filed alleging a violation of AS 11.56.757, a petition may be filed with the court
19 seeking appropriate sanctions and may be scheduled by the court for a prompt hearing,
20 or an arrest warrant may be issued for the person on release or offender with
21 conditions of probation provided in this subsection, if the person or offender

22 (A) fails to appear for an appointment or fails to complete a
23 test through the use of remote alcohol or substance abuse monitoring

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technology as required by the program requirements; or

(B) tests positive for the use of controlled substances or alcoholic beverages; and

(3) a requirement that the person or offender pay, based on the person's or offender's ability under financial guidelines established by the commissioner, for the cost of participating in the program.

(d) The department shall contract with one or more vendors using a competitive procurement process in accordance with AS 36.30 to provide or conduct the testing required under (c) of this section."

AMENDMENT #10

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

- 1 Page 78, line 11:
- 2 Delete "sexual felony"
- 3 Insert "sex offense"
- 4
- 5 Page 78, line 12:
- 6 Delete "AS 12.55.185"
- 7 Insert "AS 12.63.100"

AMENDMENT #11

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 92, lines 1 - 3:

2 Delete all material and insert:

3 "(4) has not been convicted of

4 (A) an unclassified felony offense under AS 11;

5 (B) a sexual felony as defined by AS 12.55.185;

6 (C) a crime involving domestic violence as defined by
7 AS 18.66.990; or

8 (D) a misdemeanor."

AMENDMENT #12

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 99, line 5:

2 Delete "and"

3

4 Page 99, line 6, following "appropriate":

5 Insert "; and

6

7 (4) a partnership with one or more nonprofit organizations to allow
8 access to a prisoner before the prisoner's discharge, release, or furlough to assist the
9 prisoner with the prisoner's application for Medicaid, Social Security benefits, public
10 assistance under AS 47.25, and a state identification card or driver's license and
11 provide other programs to assist the prisoner's transition into the community, promote
rehabilitation, and reduce recidivism."

AMENDMENT #13

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 101, following line 5:

2 Insert a new bill section to read:

3 **** Sec. 161.** AS 43.61.010 is amended by adding new subsections to read:

4 (c) The recidivism reduction fund is established in the general fund. The
5 Department of Administration shall separately account for 50 percent of the tax
6 collected under this section and deposit it into the recidivism reduction fund.

7 (d) The legislature may use the annual estimated balance in the fund to make
8 appropriations to the Department of Corrections, the Department of Health and Social
9 Services, or the Department of Public Safety for recidivism reduction programs.

10 (e) Nothing in this section creates a dedicated fund."
11

12 Renumber the following bill sections accordingly.
13

14 Page 116, line 19:

15 Delete "sec. 167"

16 Insert "sec. 168"
17

18 Page 119, line 7:

19 Delete "sec. 175"

20 Insert "sec. 176"
21

22 Page 119, line 8:

23 Delete "175"

1 Insert "176"

2

3 Page 120, line 30:

4 Delete "sec. 175"

5 Insert "sec. 176"

6

7 Page 121, line 2:

8 Delete "sec. 179(a)"

9 Insert "sec. 180(a)"

10

11 Page 121, line 4:

12 Delete "sec. 179(b)"

13 Insert "sec. 180(b)"

14

15 Page 121, line 7:

16 Delete "sec. 179(c)"

17 Insert "sec. 180(c)"

18

19 Page 121, line 10:

20 Delete "sec. 179(d)"

21 Insert "sec. 180(d)"

22

23 Page 121, line 13:

24 Delete "sec. 179(e)"

25 Insert "sec. 180(e)"

26

27 Page 121, line 18:

28 Delete "159 - 168, 178, 179(b), 179(c), and 179(d)"

29 Insert "159, 160, 162 - 169, 179, 180(b), 180(c), and 180(d)"

30

31 Page 121, line 22:

- 1 Delete "169 - 171"
- 2 Insert "170 - 172"
- 3
- 4 Page 121, line 23:
 - 5 Delete "176, 177, 179(a), and 179(e)"
 - 6 Insert "177, 178, 180(a), and 180(e)"
 - 7
- 8 Page 121, line 26:
 - 9 Delete "sec. 175"
 - 10 Insert "sec. 176"

AMENDMENT #14

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 102, line 30, following "reforms;":

2 Delete "and"

3

4 Page 103, line 1, following "reform":

5 Insert "; and"

6 (4) appoint a working group to review and analyze sexual offense
7 statutes and report to the legislature if there are circumstances under which victims'
8 rights, public safety, and the rehabilitation of offenders are better served by changing
9 existing laws; the commission shall deliver the report to the senate secretary and the
10 chief clerk of the house of representatives and notify the legislature that the report is
11 available; the commission may include in the working group people representing a
12 variety of viewpoints who are not members of the commission"

AMENDMENT #15

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

1 Page 2, line 2, following "corrections;":

2 Insert "**relating to major medical insurance coverage under the Public Employees'**
3 **Retirement System of Alaska;**"

4
5 Page 100, following line 11:

6 Insert new bill sections to read:

7 **** Sec. 160.** 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. 161.** 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. 162.** 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. 163. 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. 164.** 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. 165.** 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. 166.** 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. 167.** 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. 168.** 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. 169.** 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. 170.** AS 39.35.880 is amended by adding a new subsection to read:

14 (I) 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. 171.** 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 Renumber the following bill sections accordingly.

28
29 Page 112, following line 26:

30 Insert a new bill section to read:

31 **** Sec. 19.** AS 39.35.880(c) is repealed."

1

2 Renumber the following bill sections accordingly.

3

4 Page 116, line 18:

5 Delete "sec. 160"

6 Insert "sec. 172"

7

8 Page 116, line 19:

9 Delete "sec. 167"

10 Insert "sec. 179"

11

12 Page 119, line 7:

13 Delete "sec. 175"

14 Insert "sec. 187"

15

16 Page 119, line 8:

17 Delete "175"

18 Insert "187"

19

20 Page 120, following line 26:

21 Insert new bill sections to read:

22 **** Sec. 198.** The uncodified law of the State of Alaska is amended by adding a new section
23 to read:

24 **TRANSITION: REGULATIONS.** (a) The Department of Administration may adopt
25 regulations necessary to implement secs. 160 - 171, 191, and 199 of this Act. Regulations
26 adopted by the Department of Administration under this section relate to the internal
27 management of a state agency and are not subject to AS 44.62 (Administrative Procedure Act)
28 under AS 39.30.160 and AS 39.35.005.

29 (b) Regulations adopted under this section may not take effect before the effective
30 date of the law being implemented by the regulation.

31 *** Sec. 199.** The uncodified law of the State of Alaska is amended by adding a new section

1 to read:

2 RETROACTIVITY. Sections 160 - 171 and 191 of this Act are retroactive to
3 January 1, 2013."
4

5 Renumber the following bill sections accordingly.
6

7 Page 120, line 30:

8 Delete "sec. 175"

9 Insert "sec. 187"

10

11 Page 121, line 2:

12 Delete "sec. 179(a)"

13 Insert "sec. 192(a)"

14

15 Page 121, line 4:

16 Delete "sec. 179(b)"

17 Insert "sec. 192(b)"

18

19 Page 121, line 7:

20 Delete "sec. 179(c)"

21 Insert "sec. 192(c)"

22

23 Page 121, line 10:

24 Delete "sec. 179(d)"

25 Insert "sec. 192(d)"

26

27 Page 121, line 13:

28 Delete "sec. 179(e)"

29 Insert "sec. 192(e)"

30

31 Page 121, line 16:

- 1 Delete "and 91"
- 2 Insert ", 91, 198, and 199"
- 3
- 4 Page 121, line 18:
 - 5 Delete "159 - 168, 178, 179(b), 179(c), and 179(d)"
 - 6 Insert "159, 172 - 180, 190, 192(b), 192(c), and 192(d)"
 - 7
- 8 Page 121, line 22:
 - 9 Delete "169 - 171"
 - 10 Insert "181 - 183, and 191"
 - 11
- 12 Page 121, line 23:
 - 13 Delete "176, 177, 179(a), and 179(e)"
 - 14 Insert "188, 189, 192(a), and 192(e)"
 - 15
- 16 Page 121, line 26:
 - 17 Delete "sec. 175"
 - 18 Insert "sec. 187"

AMENDMENT #16

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

- 1 Page 111, line 18:
- 2 Delete "counseling, and medical care"
- 3 Insert "and counseling"
- 4
- 5 Page 111, line 31:
- 6 Delete "peer-reviewed data"
- 7 Insert "research"

AMENDMENT

#17

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(JUD), Draft Version "X"

- 1 Page 58, line 23, through page 59, line 10:
- 2 Delete all material.
- 3
- 4 Renumber the following bill sections accordingly.
- 5
- 6 Page 60, line 25, following "person":
- 7 Insert "is participating in and"
- 8
- 9 Page 60, line 27, following "AS 28.35.028":
- 10 Insert ", and submits verification acceptable to the department"
- 11
- 12 Page 61, lines 16 - 18:
- 13 Delete all material.
- 14
- 15 Renumber the following paragraphs accordingly.
- 16
- 17 Page 61, line 20:
- 18 Delete "subsection"
- 19 Insert "section"
- 20 Delete "section;"
- 21 Insert "section."
- 22
- 23 Page 61, lines 21 - 23:

1 Delete all material.

2

3 Page 65, line 23:

4 Delete "**(b) or**"

5

6 Page 65, line 27, following "a":

7 Insert "**driving related**"

8

9 Page 66, lines 11 - 12:

10 Delete all material and insert:

11 **"(E) the person is otherwise eligible to have the person's**
12 **driving privileges restored as provided in AS 28.15.211; in an application**
13 **under this subsection, a person whose license was revoked for a violation**
14 **of AS 28.35.030(n) or 28.35.032(p) is not required to submit compliance as**
15 **required under AS 28.35.030(h) or 28.35.032(l); and"**

16

17 Page 113, line 15:

18 Delete "sec. 116"

19 Insert "sec. 115"

20

21 Page 116, line 13:

22 Delete "sec. 99"

23 Insert "sec. 98"

24

25 Page 116, line 14:

26 Delete "sec. 100"

27 Insert "sec. 99"

28

29 Page 116, line 15:

30 Delete "sec. 110"

31 Insert "sec. 109"

- 1
- 2 Page 116, line 16:
 - 3 Delete "sec. 111"
 - 4 Insert "sec. 110"
 - 5
- 6 Page 116, line 17:
 - 7 Delete "sec. 112"
 - 8 Insert "sec. 111"
 - 9
- 10 Page 116, line 18:
 - 11 Delete "sec. 160"
 - 12 Insert "sec. 159"
 - 13
- 14 Page 116, line 19:
 - 15 Delete "sec. 167"
 - 16 Insert "sec. 166"
 - 17
- 18 Page 117, line 5:
 - 19 Delete "sec. 152"
 - 20 Insert "sec. 151"
 - 21
- 22 Page 117, line 11:
 - 23 Delete "sec. 103"
 - 24 Insert "sec. 102"
 - 25
- 26 Page 117, line 12:
 - 27 Delete "sec. 107"
 - 28 Insert "sec. 106"
 - 29
- 30 Page 117, line 13:
 - 31 Delete "sec. 119"

- 1 Insert "sec. 118"
- 2
- 3 Page 117, line 14:
- 4 Delete "sec. 121"
- 5 Insert "sec. 120"
- 6
- 7 Page 118, line 12:
- 8 Delete "sec. 114"
- 9 Insert "sec. 113"
- 10
- 11 Page 118, line 17:
- 12 Delete all material.
- 13
- 14 Renumber the following paragraphs accordingly.
- 15
- 16 Page 118, line 18:
- 17 Delete "sec. 98"
- 18 Insert "sec. 97"
- 19
- 20 Page 118, line 19:
- 21 Delete "sec. 105"
- 22 Insert "sec. 104"
- 23
- 24 Page 118, line 22:
- 25 Delete "sec. 117"
- 26 Insert "sec. 116"
- 27
- 28 Page 118, line 23:
- 29 Delete "sec. 118"
- 30 Insert "sec. 117"
- 31

1 Page 118, line 24:

2 Delete "sec. 120"

3 Insert "sec. 119"

4

5 Page 118, line 25:

6 Delete "sec. 122"

7 Insert "sec. 121"

8

9 Page 118, line 26:

10 Delete "sec. 124"

11 Insert "sec. 123"

12

13 Page 118, line 27:

14 Delete "sec. 125"

15 Insert "sec. 124"

16

17 Page 118, line 28:

18 Delete "sec. 126"

19 Insert "sec. 125"

20

21 Page 118, line 29:

22 Delete "sec. 132"

23 Insert "sec. 131"

24

25 Page 118, line 30:

26 Delete "sec. 133"

27 Insert "sec. 132"

28

29 Page 118, line 31:

30 Delete "sec. 134"

31 Insert "sec. 133"

- 1
- 2 Page 119, line 1:
 - 3 Delete "sec. 135"
 - 4 Insert "sec. 134"
 - 5
- 6 Page 119, line 2:
 - 7 Delete "sec. 136"
 - 8 Insert "sec. 135"
 - 9
- 10 Page 119, line 3:
 - 11 Delete "sec. 137"
 - 12 Insert "sec. 136"
 - 13
- 14 Page 119, line 4:
 - 15 Delete "sec. 138"
 - 16 Insert "sec. 137"
 - 17
- 18 Page 119, line 5:
 - 19 Delete "sec. 139"
 - 20 Insert "sec. 138"
 - 21
- 22 Page 119, line 6:
 - 23 Delete "sec. 141"
 - 24 Insert "sec. 140"
 - 25
- 26 Page 119, line 7:
 - 27 Delete "sec. 175"
 - 28 Insert "sec. 174"
 - 29
- 30 Page 119, line 8:
 - 31 Delete "175"

- 1 Insert "174"
- 2
- 3 Page 119, line 20:
- 4 Delete "sec. 116"
- 5 Insert "sec. 115"
- 6
- 7 Page 119, line 23:
- 8 Delete "sec. 140"
- 9 Insert "sec. 139"
- 10
- 11 Page 119, line 24:
- 12 Delete "sec. 142"
- 13 Insert "sec. 141"
- 14
- 15 Page 119, line 25:
- 16 Delete "sec. 143"
- 17 Insert "sec. 142"
- 18
- 19 Page 119, line 26:
- 20 Delete "sec. 144"
- 21 Insert "sec. 143"
- 22
- 23 Page 119, line 27:
- 24 Delete "sec. 145"
- 25 Insert "sec. 144"
- 26
- 27 Page 119, line 28:
- 28 Delete "sec. 146"
- 29 Insert "sec. 145"
- 30
- 31 Page 119, line 29:

1 Delete "sec. 147"

2 Insert "sec. 146"

3

4 Page 119, line 30:

5 Delete "sec. 148"

6 Insert "sec. 147"

7

8 Page 119, line 31:

9 Delete "sec. 149"

10 Insert "sec. 148"

11

12 Page 120, line 1:

13 Delete "sec. 150"

14 Insert "sec. 149"

15

16 Page 120, line 2:

17 Delete "sec. 113"

18 Insert "sec. 112"

19

20 Page 120, line 3:

21 Delete "sec. 113"

22 Insert "sec. 112"

23

24 Page 120, line 4:

25 Delete "sec. 113"

26 Insert "sec. 112"

27

28 Page 120, line 5:

29 Delete "sec. 113"

30 Insert "sec. 112"

31

1 Page 120, line 6:

2 Delete "sec. 153"

3 Insert "sec. 152"

4

5 Page 120, line 7:

6 Delete "sec. 153"

7 Insert "sec. 152"

8

9 Page 120, line 8:

10 Delete "sec. 153"

11 Insert "sec. 152"

12

13 Page 120, line 9:

14 Delete "sec. 153"

15 Insert "sec. 152"

16

17 Page 120, line 26:

18 Delete "sec. 153"

19 Insert "sec. 152"

20

21 Page 120, line 30:

22 Delete "sec. 175"

23 Insert "sec. 174"

24

25 Page 121, line 2:

26 Delete "sec. 179(a)"

27 Insert "sec. 178(a)"

28

29 Page 121, line 4:

30 Delete "sec. 179(b)"

31 Insert "sec. 178(b)"

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Page 121, line 7:

Delete "sec. 179(c)"
Insert "sec. 178(c)"

Page 121, line 10:

Delete "sec. 179(d)"
Insert "sec. 178(d)"

Page 121, line 13:

Delete "sec. 116"
Insert "sec. 115"
Delete "sec. 179(e)"
Insert "sec. 178(e)"

Page 121, lines 17 - 18:

Delete "98 - 100, 102, 105, 110 - 112, 153, 159 - 168, 178, 179(b), 179(c), and 179(d)"
Insert "97 - 99, 101, 104, 109 - 111, 152, 158 - 167, 177, 178(b), 178(c), and 178(d)"

Page 121, lines 21 - 22:

Delete "103, 104, 107, 113 - 115, 117 - 152, 155 - 157, and 169 - 171"
Insert "102, 103, 106, 112 - 114, 116 - 151, 154 - 156, and 168 - 170"

Page 121, line 23:

Delete "116, 176, 177, 179(a), and 179(e)"
Insert "115, 175, 176, 178(a), and 178(e)"

Page 121, line 25:

Delete "Section 158"
Insert "Section 157"

1

2 Page 121, line 26:

3 Delete "sec. 175"

4 Insert "sec. 174"