

ALASKA STATE LEGISLATURE
SENATE FINANCE COMMITTEE



Senator Bert Stedman, Co-Chair
State Capitol, Room 518
Juneau, Alaska 99801-1182
Phone: (907) 465-3873
Sen.Bert.Stedman@akleg.gov

Senator Click Bishop, Co-Chair
State Capitol, Room 516
Juneau, Alaska 99801-1182
Phone: (907) 465-2327
Sen.Click.Bishop@akleg.gov

Explanation of Changes
SENATE CS for CS for HOUSE BILL NO. 291(FIN)
Version 32-LS1425\W to 32- LS1425\N

Updated Title

New Section 3

Page 2 lines 25-28

AS 22.20.211. Staff and support for criminal justice commission.

Amends AS 22.20 by adding a new section allowing the Alaska Judicial Council to provide staff and administrative support to the Alaska Criminal Justice Data Analysis Commission.

New Section 4

Page 2, line 29 – Page 4, line 8

AS 22.20.221. Prison inmate characteristics information.

Amends AS 22.20 by adding a new section relating to Alaska Judicial Council's duty to design and implement a project for the purposes of studying risk factors related to criminal activity should the Alaska Criminal Justice Data Analysis Commission sunset on June 30, 2029 (see Sec. 22 for effective date of this provision). The Alaska Judicial Council must prepare an annual report summarizing the information collected.

New Section 5

Page 4 lines 9-11

AS 44.19.641. Creation of commission.

Amends AS 44.19.641 to add "Data Analysis" to the name of the commission.

New Section 6

Page 4, line 12 – Page 5, line 23

AS 44.19.642. Membership; staff.

Amends AS 44.19.642(a) to make changes to the membership of the commission.

These changes include:

- Ensure representation of rural Alaska on the commission;
- Make the Deputy Attorney General for the Criminal Division of the Department of Law or their designee a voting member (rather than the Attorney General);
- Allow the public defender's designee to act as a voting member in place of the public defender;
- Place two peace officer representatives on the commission (rather than one municipal law enforcement representative)—one representing a rural community off the road system and one representing an urban community—appointed by the Alaska Chiefs of Police;

- Provide for the victims' rights advocate on the commission to be appointed by the Alaska Network on Domestic Violence and Sexual Assault after consultation with its member and partner organizations;
- Make the Commissioner of the Department of Health and Social Services a voting member; and
- Create a new member seat for a formerly incarcerated person who has completed his or her sentence.

New Section 7

Page 5, line 24 – Page 11, line 20

AS 44.19.645. Powers and duties of the commission.

Amends AS 44.19.645 to remove the duties of the former Alaska Criminal Justice Commission to be replaced by the new duties of the Alaska Criminal Justice Data Analysis Commission.

These new duties include:

- Data analysis, research, and reporting on all aspects of Alaska's criminal justice system, including state laws, public safety, rehabilitation, crime and incarceration rates, the needs of victims, and other factors set forth in the Alaska Constitution;
- Receiving data related to the criminal justice system from the Alaska Department of Corrections, Department of Public Safety, Department of Law, and the Alaska Court System;
- Identifying areas for improving the efficiency and effectiveness of the criminal justice system;
- Making other recommendations and providing analysis if requested by the Legislature, the Executive, or the Judiciary; and
- Issuing an annual report.

New Section 8

Page 11, line 21 – Page 12, line 12

AS 44.19.645. Powers and duties of the commission.

Amends AS 44.19.645 by adding a new subsection (i) relating to the commission's duty to design and implement a project for the purposes of studying risk factors related to criminal activity. This new subsection is substantially identical to former subsection (h), which was repealed on July 1, 2021, upon the sunset of the former Alaska Criminal Justice Commission, which is currently in its wind-up year. The Alaska Judicial Council is currently performing these functions pursuant to AS 22.20.220, which took effect on July 1, 2021, pursuant to HCS CSSB 54(FIN) am H (2017).

New Section 9

Page 12, line 13 – Page 13, line 23

AS 44.19.646. Methodology.

Amends AS 44.19.646 to remove the duty of the commission to make recommendations, and adds the duty of conducting research and adopting a research agenda and priorities based on art. I, secs. 7, 12, and 24, Constitution of the State of Alaska (which relate to due process, criminal administration, and the rights of crime victims), and other issues of pressing concern to the criminal justice system.

New Section 10

Page 13, line 24 – Page 14, line 27

AS 44.19.647. Annual report and recommendations.

Amends AS 44.19.647(a) to remove the reporting responsibilities of the former Alaska Criminal Justice Commission to be replaced by the new reporting responsibilities of the Alaska Criminal

Justice Data Analysis Commission. The commission's reporting responsibilities are related to the duties of the commission listed in Sec. 7.

New Section 11

Page 14, lines 28-31

AS 44.19.647. Annual report and recommendations.

Amends AS 44.19.647(b) to remove the reporting responsibilities of the former Alaska Criminal Justice Commission to be replaced by the new duties of the Alaska Criminal Justice Data Analysis Commission. Additionally, specifies what the commission must include in their annual report to the legislature.

New Section 12

Page 15, lines 1-18

AS 44.19.647. Annual report and recommendations.

Amends AS 44.19.647 adding a new subsection (d) specifying that the commission must prepare an annual report summarizing the information collected in Sec. 8.

New Section 13

Page 15, lines 19-31

AS 44.19.649. Definition.

Amends AS 44.19.649 to update the definitions of "commission," "recidivism," and "technical violation."

New Section 15

Page 16, lines 4-6

AS 44.66.010. Expiration of state boards and commissions.

Amends AS 44.66.010(a)(14) to add the Alaska Criminal Justice Data Analysis Commission to the list of boards and commissions set to expire.

New Section 16

Page 16, lines 7-20

AS 47.38.100. Recidivism reduction program.

Amends AS 47.38.100(b) to add "Data Analysis" to the name of the commission.

New Section 17

Page 16, line 21

Repeals AS 22.20.220, AS 44.19.642(b), and AS 44.66.010(a)(12).

New Section 18

Page 16, line 22

Repeals AS 22.20.211, AS 44.19.645(i), and AS 44.19.647(d) on June 30, 2029.

New Section 19

Page 16, line 23-30

Uncodified law

A person who is a member of the former Alaska Criminal Justice Commission on the day before the effective date of this Act continues to serve on the Alaska Criminal Justice Data Analysis Commission until the expiration of the member's term. When making new appointments or designations, makes Sec. 6 of the Act conditional on the guidelines established under AS 44.19.642(a), as amended by Sec. 6, which relates to membership of the commission.

New Section 20

Page 16, line 1 – Page 17, line 6

Uncodified law

Transition language regarding the Alaska Judicial Council's duty to design and implement a project for the purposes of studying risk factors related to criminal activity.

New Section 21

Page 17, lines 7-11

Uncodified law

Exempts Sections 14 and 15 from the provisions of AS 44.66.505(e) that prohibits a bill from continuing or reestablishing more than one board or commission.

New Section 22

Page 17, line 12

Provides a July 1, 2028 effective date for Section 4.

Updated Section 23

Page 17, line 13

Amends the immediate effective date to apply to Sections 1, 2 and 14.

New Section 24

Page 17, lines 14-15

Provides a July 1, 2022, effective date except as provided in Sections 22 and 23.