

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-NINTH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Monday**

**May 2, 2016**

**One Hundred Fifth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 1:14 p.m. in the Terry Miller Legislative Office Building gymnasium.

Roll call showed 38 members present. Representative Hawker had been excused from a call of the House today. Representative Wool was absent and his presence was noted later.

The invocation was offered by the Chaplain, Representative Pruitt. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Dear Lord, thank you for the opportunity to come together today to continue the work of the people to continue to move Alaska forward, as we deal with some very difficult issues. I pray that you give us a peace, both inside ourselves but also in terms of our relationships with each other. I pray that you continue to strengthen the bonds and help us to come together on these difficult issues. I pray that you will help us to seek your counseling and your guidance as we make these decisions, Father. Help us to be slow in terms of our reactions that we take time to think as we make decisions that have dramatic impacts on the public. I pray that you help us to do this with expediency, and that you help us to come together on these issues in a manner of timeframe for which we can give the public the opportunity not only to understand what

we are doing but to be able to go back and talk to them about the decisions we have made, so we can go back and communicate and ask for them to join us as we move forward with these difficult decisions. Pray your blessings on today; pray your blessings on the coming days. In your name. Amen.

The Pledge of Allegiance was led by Representative Kawasaki.

### **CERTIFICATION OF THE JOURNAL**

Representative Millett moved and asked unanimous consent that the journal for the 102nd, 103rd, and 104th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HB 156**

A message dated April 29, 2016, was read stating the Senate failed to recede from its amendment to:

CS FOR HOUSE BILL NO. 156(EDC) am

"An Act relating to the duties of the State Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; and providing for an effective date."

namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 156(FIN)

"An Act relating to a parent's right to direct the education of a child; relating to the duties of the state Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school

accountability; relating to a statewide assessment plan and review of education laws and regulations; repealing the minimum expenditure for instruction for school districts; relating to sex education, human reproduction education, and human sexuality education; relating to suicide awareness and prevention training; relating to contracts for student assessments; relating to questionnaires and surveys administered in public schools; relating to physical examinations for teachers; and providing for an effective date."

(SCR 25 – title change resolution)

The President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Dunleavy, Chair  
Senator Giessel  
Senator Olson

The House members of the Conference Committee were appointed April 17, 2016 (page 2507).

#### **REPORTS OF STANDING COMMITTEES**

##### **SB 91**

The Finance Committee submitted the following forthcoming fiscal notes to accompany its report (page 2588):

16. Zero, Dept. of Administration
17. Zero, Dept. of Administration
20. Zero, Dept. of Corrections
25. Fiscal, Dept. of Health & Social Services
26. Fiscal, Dept. of Health & Social Services
27. Zero, Dept. of Health & Social Services
28. Fiscal, Dept. of Health & Social Services
30. Zero, Dept. of Public Safety
31. Fiscal, Dept. of Public Safety
32. Zero, Alaska Judicial System
33. Fiscal, Alaska Judicial System
34. Zero, House Finance Committee/Dept. of Administration
35. Fiscal, Dept. of Corrections

36. Fiscal, Dept. of Corrections
37. Fiscal, House Finance Committee/Dept. of Corrections
38. Fiscal, Dept. of Corrections
39. Fiscal, Dept. of Corrections
40. Fiscal, House Finance Committee/Dept. of Corrections
41. Zero, Dept. of Law

for

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

HCS CSSSSB 91(FIN) is on today's calendar.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **THIRD READING OF SENATE BILLS**

##### **SB 91**

The following, which was advanced to third reading from the April 29, 2016, calendar (page 2593), was read the third time:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances;

relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

(HCR 32 – title change resolution)

The House advanced to:

### **UNFINISHED BUSINESS**

#### **HB 330**

Representative LeDoux moved and asked unanimous consent to withdraw the following:

#### **HOUSE BILL NO. 330**

"An Act relating to a veteran's designation on an identification card or a driver's license for Lao and Hmong veterans."

There being no objection, HB 330 was withdrawn.

#### **HB 339**

Representative LeDoux, Chair of the Judiciary Committee, moved and asked unanimous consent to withdraw the following:

#### **HOUSE BILL NO. 339**

"An Act relating to arson in the third degree."

There being no objection, HB 339 was withdrawn.

Representative Millett moved and asked unanimous consent that Representative Claman be excused from a call of the House from 3:30 p.m. to 4:30 p.m., today. There being no objection, it was so ordered.

The House reverted to:

### **THIRD READING OF SENATE BILLS**

(continued)

#### **SB 91**

The following was before the House in third reading:

#### **HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)**

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

Representative LeDoux moved and asked unanimous consent that HCS CSSSSB 91(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSSSB 91(FIN) would be returned to second reading for all amendments.

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representative LeDoux:

Page 8, following line 13:

Insert a new bill section to read:

**"\* Sec. 14.** AS 11.46.420(a) is amended to read:

(a) A person commits the crime of arson in the third degree if the person intentionally damages a motor vehicle

(1) by starting a fire or causing an explosion while that vehicle is located on **public** [STATE OR MUNICIPAL] land; or

(2) that is the property of another person by starting a fire or causing an explosion while that vehicle is located on private property."

Renumber the following bill sections accordingly.

Page 108, line 3:

Delete "sec. 53"

Insert "sec. 54"

Page 108, line 9:

Delete "sec. 69"

Insert "sec. 70"

Page 108, line 12:

Delete "sec. 69"

Insert "sec. 70"

Page 108, line 13:

Delete "sec. 70"

Insert "sec. 71"

Page 108, line 16:

Delete "sec. 86"

Insert "sec. 87"

Page 108, line 19:

Delete "sec. 105"

Insert "sec. 106"

Page 110, following line 8:

Insert a new paragraph to read:

"(10) AS 11.46.420(a), as amended by sec. 14 of this Act;"

Renumber the following paragraphs accordingly.

Page 110, line 9:

Delete "sec. 14"

Insert "sec. 15"

Page 110, line 10:

Delete "sec. 15"

Insert "sec. 16"

Page 110, line 11:

Delete "sec. 16"

Insert "sec. 17"

Page 110, line 12:

Delete "sec. 17"

Insert "sec. 18"

Page 110, line 13:

Delete "sec. 18"

Insert "sec. 19"

Page 110, line 14:

Delete "sec. 19"

Insert "sec. 20"

Page 110, line 15:

Delete "sec. 21"

Insert "sec. 22"

Page 110, line 16:

Delete "sec. 22"

Insert "sec. 23"

Page 110, line 17:

Delete "sec. 24"

Insert "sec. 25"



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Page 110, line 18:  
Delete "sec. 26"  
Insert "sec. 27"

Page 110, line 19:  
Delete "sec. 27"  
Insert "sec. 28"

Page 110, line 20:  
Delete "sec. 29"  
Insert "sec. 30"

Page 110, line 21:  
Delete "sec. 35"  
Insert "sec. 36"

Page 110, line 22:  
Delete "sec. 36"  
Insert "sec. 37"

Page 110, line 23:  
Delete "sec. 39"  
Insert "sec. 40"

Page 110, line 24:  
Delete "sec. 41"  
Insert "sec. 42"

Page 110, line 25:  
Delete "sec. 43"  
Insert "sec. 44"

Page 110, line 26:  
Delete "sec. 79"  
Insert "sec. 80"

Page 110, line 27:  
Delete "sec. 80"  
Insert "sec. 81"

Page 110, line 28:  
Delete "sec. 92"  
Insert "sec. 93"

Page 110, line 29:  
Delete "sec. 93"  
Insert "sec. 94"

Page 110, line 30:  
Delete "sec. 99"  
Insert "sec. 100"

Page 110, line 31:  
Delete "sec. 100"  
Insert "sec. 101"

Page 111, line 1:  
Delete "sec. 149"  
Insert "sec. 150"

Page 111, line 4:  
Delete "sec. 31"  
Insert "sec. 32"

Page 111, line 5:  
Delete "sec. 32"  
Insert "sec. 33"

Page 111, line 6:  
Delete "sec. 33"  
Insert "sec. 34"

Page 111, line 7:  
Delete "sec. 34"  
Insert "sec. 35"

Page 111, line 10:  
Delete "sec. 62"  
Insert "sec. 63"

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Page 111, line 11:  
Delete "sec. 63"  
Insert "sec. 64"

Page 111, line 12:  
Delete "sec. 64"  
Insert "sec. 65"

Page 111, line 13:  
Delete "sec. 65"  
Insert "sec. 66"

Page 111, line 16:  
Delete "sec. 60"  
Insert "sec. 61"

Page 111, line 17:  
Delete "sec. 61"  
Insert "sec. 62"

Page 111, line 18:  
Delete "sec. 78"  
Insert "sec. 79"

Page 111, line 19:  
Delete "sec. 95"  
Insert "sec. 96"

Page 111, line 20:  
Delete "sec. 98"  
Insert "sec. 99"

Page 111, line 21:  
Delete "sec. 108"  
Insert "sec. 109"

Page 111, line 22:  
Delete "sec. 109"  
Insert "sec. 110"

Page 111, line 23:  
Delete "sec. 110"  
Insert "sec. 111"

Page 111, line 24:  
Delete "sec. 112"  
Insert "sec. 113"

Page 111, line 25:  
Delete "sec. 121"  
Insert "sec. 122"

Page 111, line 26:  
Delete "sec. 141"  
Insert "sec. 142"

Page 111, line 27:  
Delete "sec. 58"  
Insert "sec. 59"

Page 111, line 28:  
Delete "sec. 58"  
Insert "sec. 59"

Page 111, line 29:  
Delete "sec. 58"  
Insert "sec. 59"

Page 112, line 2:  
Delete "sec. 67"  
Insert "sec. 68"

Page 112, line 3:  
Delete "sec. 68"  
Insert "sec. 69"

Page 112, line 4:  
Delete "sec. 69"  
Insert "sec. 70"

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Page 112, line 5:  
Delete "sec. 66"  
Insert "sec. 67"

Page 112, line 6:  
Delete "sec. 66"  
Insert "sec. 67"

Page 112, line 7:  
Delete "sec. 66"  
Insert "sec. 67"

Page 112, line 8:  
Delete "sec. 70"  
Insert "sec. 71"

Page 112, line 9:  
Delete "sec. 70"  
Insert "sec. 71"

Page 112, line 10:  
Delete "sec. 70"  
Insert "sec. 71"

Page 112, line 11:  
Delete "sec. 72"  
Insert "sec. 73"

Page 112, line 12:  
Delete "sec. 72"  
Insert "sec. 73"

Page 112, line 13:  
Delete "sec. 72"  
Insert "sec. 73"

Page 112, line 14:  
Delete "sec. 75"  
Insert "sec. 76"

Page 112, line 15:  
Delete "sec. 75"  
Insert "sec. 76"

Page 112, line 16:  
Delete "sec. 75"  
Insert "sec. 76"

Page 112, line 20:  
Delete "sec. 71"  
Insert "sec. 72"

Page 112, line 21:  
Delete "sec. 73"  
Insert "sec. 74"

Page 112, line 22:  
Delete "sec. 74"  
Insert "sec. 75"

Page 112, line 23:  
Delete "sec. 77"  
Insert "sec. 78"

Page 112, line 24:  
Delete "sec. 103"  
Insert "sec. 104"

Page 112, line 28:  
Delete "sec. 90"  
Insert "sec. 91"

Page 112, line 29:  
Delete "sec. 91"  
Insert "sec. 92"

Page 112, line 30:  
Delete "sec. 97"  
Insert "sec. 98"

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Page 113, line 2:

Delete "sec. 106"

Insert "sec. 107"

Page 113, line 3:

Delete "sec. 107"

Insert "sec. 108"

Page 113, line 4:

Delete "sec. 111"

Insert "sec. 112"

Page 113, line 5:

Delete "sec. 113"

Insert "sec. 114"

Page 113, line 6:

Delete "sec. 114"

Insert "sec. 115"

Page 113, line 7:

Delete "sec. 115"

Insert "sec. 116"

Page 113, line 8:

Delete "sec. 122"

Insert "sec. 123"

Page 113, line 9:

Delete "sec. 123"

Insert "sec. 124"

Page 113, line 10:

Delete "sec. 124"

Insert "sec. 125"

Page 113, line 11:

Delete "sec. 125"

Insert "sec. 126"

Page 113, line 12:

Delete "sec. 126"

Insert "sec. 127"

Page 113, line 13:

Delete "sec. 127"

Insert "sec. 128"

Page 113, line 14:

Delete "sec. 128"

Insert "sec. 129"

Page 113, line 15:

Delete "sec. 130"

Insert "sec. 131"

Page 113, line 16:

Delete "sec. 22"

Insert "sec. 23"

Delete "sec. 166"

Insert "sec. 167"

Page 113, line 17:

Delete "secs. 22 and 166"

Insert "secs. 23 and 167"

Page 113, line 20:

Delete "sec. 49"

Insert "sec. 50"

Page 113, line 21:

Delete "sec. 50"

Insert "sec. 51"

Page 113, line 22:

Delete "sec. 51"

Insert "sec. 52"

Page 113, line 23:

Delete "sec. 52"

Insert "sec. 53"



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Page 113, line 24:  
Delete "sec. 53"  
Insert "sec. 54"

Page 113, line 25:  
Delete "sec. 54"  
Insert "sec. 55"

Page 113, line 26:  
Delete "sec. 55"  
Insert "sec. 56"

Page 113, line 27:  
Delete "sec. 56"  
Insert "sec. 57"

Page 113, line 28:  
Delete "sec. 57"  
Insert "sec. 58"

Page 113, line 29:  
Delete "sec. 105"  
Insert "sec. 106"

Page 114, line 1:  
Delete "sec. 129"  
Insert "sec. 130"

Page 114, line 2:  
Delete "sec. 131"  
Insert "sec. 132"

Page 114, line 3:  
Delete "sec. 132"  
Insert "sec. 133"

Page 114, line 4:  
Delete "sec. 133"  
Insert "sec. 134"

Page 114, line 5:

Delete "sec. 134"

Insert "sec. 135"

Page 114, line 6:

Delete "sec. 135"

Insert "sec. 136"

Page 114, line 7:

Delete "sec. 136"

Insert "sec. 137"

Page 114, line 8:

Delete "sec. 137"

Insert "sec. 138"

Page 114, line 9:

Delete "sec. 138"

Insert "sec. 139"

Page 114, line 10:

Delete "sec. 139"

Insert "sec. 140"

Page 114, line 11:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 12:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 13:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 14:

Delete "sec. 102"

Insert "sec. 103"

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Page 114, line 15:  
Delete "sec. 142"  
Insert "sec. 143"

Page 114, line 16:  
Delete "sec. 142"  
Insert "sec. 143"

Page 114, line 17:  
Delete "sec. 142"  
Insert "sec. 143"

Page 114, line 18:  
Delete "sec. 142"  
Insert "sec. 143"

Page 114, line 22:  
Delete "sec. 45"  
Insert "sec. 46"

Page 114, line 23:  
Delete "sec. 47"  
Insert "sec. 48"

Page 114, line 24:  
Delete "sec. 44"  
Insert "sec. 45"

Page 114, line 25:  
Delete "sec. 44"  
Insert "sec. 45"

Page 114, line 26:  
Delete "sec. 44"  
Insert "sec. 45"

Page 114, line 29:  
Delete "sec. 81"  
Insert "sec. 82"

Page 114, line 30:  
Delete "sec. 82"  
Insert "sec. 83"

Page 114, line 31:  
Delete "sec. 83"  
Insert "sec. 84"

Page 115, line 1:  
Delete "sec. 84"  
Insert "sec. 85"

Page 115, line 2:  
Delete "sec. 85"  
Insert "sec. 86"

Page 115, line 3:  
Delete "sec. 86"  
Insert "sec. 87"

Page 115, line 4:  
Delete "sec. 101"  
Insert "sec. 102"

Page 115, line 5:  
Delete "sec. 83"  
Insert "sec. 84"

Page 115, line 7:  
Delete "sec. 83"  
Insert "sec. 84"

Page 115, line 9:  
Delete "sec. 83"  
Insert "sec. 84"

Page 115, line 18:  
Delete "sec. 22"  
Insert "sec. 23"

Page 115, line 19:

Delete "sec. 166"

Insert "sec. 167"

Page 115, line 21:

Delete "sec. 53"

Insert "sec. 54"

Page 115, line 22:

Delete "sec. 168(a)"

Insert "sec. 169(a)"

Page 115, line 24:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 168(b)"

Insert "sec. 169(b)"

Page 115, line 27:

Delete "sec. 70"

Insert "sec. 71"

Delete "sec. 168(c)"

Insert "sec. 169(c)"

Page 115, line 30:

Delete "sec. 86"

Insert "sec. 87"

Delete "sec. 168(d)"

Insert "sec. 169(d)"

Page 116, line 2:

Delete "sec. 105"

Insert "sec. 106"

Delete "sec. 168(e)"

Insert "sec. 169(e)"

Page 116, lines 5 - 6:

Delete "Sections 3 - 21, 23 - 43, 67 - 70, 72, 79 - 87, 90 - 94, 97, 99 - 101, 142, 148 - 158, 167, 168(b), 168(c), and 168(d)"

Insert "Sections 3 - 22, 24 - 44, 68 - 71, 73, 80 - 88, 91 - 95, 98, 100 - 102, 143, 149 - 159, 168, 169(b), 169(c), and 169(d)"

Page 116, line 6:

Delete "sec. 22"

Insert "sec. 23"

Page 116, line 8:

Delete "Section 89"

Insert "Section 90"

Page 116, lines 9 - 10:

Delete "Sections 45 - 48, 58, 60, 61, 66, 71, 73 - 78, 95, 96, 98, 102 - 104, 106 - 141, 143 - 146, and 159 - 161"

Insert "Sections 46 - 49, 59, 61, 62, 67, 72, 74 - 79, 96, 97, 99, 103 - 105, 107 - 142, 144 - 147, and 160 - 162"

Page 116, line 11:

Delete "Section 147"

Insert "Section 148"

Page 116, line 12:

Delete "Sections 44, 49 - 57, 88, 105, 168(a), and 168(e)"

Insert "Sections 45, 50 - 58, 89, 106, 169(a), and 169(e)"

Page 116, line 14:

Delete "sec. 22"

Insert "sec. 23"

Delete "sec. 166"

Insert "sec. 167"

Representative LeDoux moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 2 was adopted.

Amendment No. 3 was offered by Representative LeDoux:

Page 1, line 4, following "**imprisonment;**" (title amendment):

Insert "**relating to the Violent Crimes Compensation Board;**"

Page 55, following line 15:

Insert a new bill section to read:

"\* **Sec. 89.** AS 18.67.020(a) is amended to read:

(a) **The** [THERE IS THE] Violent Crimes Compensation Board **is** [IN THE DEPARTMENT OF ADMINISTRATION] composed of three members to be appointed by the governor. One of the members shall be designated as chair by the governor. At least one member must be a medical or osteopathic physician, **a physician assistant, or an advanced nurse practitioner** licensed to practice in this state or [HOLDING A] retired **from practice** [STATUS LICENSE] in this state, and one member must be an attorney licensed to practice in this state or retired from practice in this state."

Renumber the following bill sections accordingly.

Page 108, line 19:

Delete "sec. 105"

Insert "sec. 106"

Page 110, line 28:

Delete "sec. 92"

Insert "sec. 93"

Page 110, line 29:

Delete "sec. 93"

Insert "sec. 94"

Page 110, line 30:

Delete "sec. 99"

Insert "sec. 100"

Page 110, line 31:

Delete "sec. 100"

Insert "sec. 101"

Page 111, line 1:

Delete "sec. 149"

Insert "sec. 150"

Page 111, line 19:  
Delete "sec. 95"  
Insert "sec. 96"

Page 111, line 20:  
Delete "sec. 98"  
Insert "sec. 99"

Page 111, line 21:  
Delete "sec. 108"  
Insert "sec. 109"

Page 111, line 22:  
Delete "sec. 109"  
Insert "sec. 110"

Page 111, line 23:  
Delete "sec. 110"  
Insert "sec. 111"

Page 111, line 24:  
Delete "sec. 112"  
Insert "sec. 113"

Page 111, line 25:  
Delete "sec. 121"  
Insert "sec. 122"

Page 111, line 26:  
Delete "sec. 141"  
Insert "sec. 142"

Page 112, line 24:  
Delete "sec. 103"  
Insert "sec. 104"

Page 112, line 28:  
Delete "sec. 90"  
Insert "sec. 91"



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Page 112, line 29:  
Delete "sec. 91"  
Insert "sec. 92"

Page 112, line 30:  
Delete "sec. 97"  
Insert "sec. 98"

Page 113, line 2:  
Delete "sec. 106"  
Insert "sec. 107"

Page 113, line 3:  
Delete "sec. 107"  
Insert "sec. 108"

Page 113, line 4:  
Delete "sec. 111"  
Insert "sec. 112"

Page 113, line 5:  
Delete "sec. 113"  
Insert "sec. 114"

Page 113, line 6:  
Delete "sec. 114"  
Insert "sec. 115"

Page 113, line 7:  
Delete "sec. 115"  
Insert "sec. 116"

Page 113, line 8:  
Delete "sec. 122"  
Insert "sec. 123"

Page 113, line 9:  
Delete "sec. 123"  
Insert "sec. 124"

Page 113, line 10:  
Delete "sec. 124"  
Insert "sec. 125"

Page 113, line 11:  
Delete "sec. 125"  
Insert "sec. 126"

Page 113, line 12:  
Delete "sec. 126"  
Insert "sec. 127"

Page 113, line 13:  
Delete "sec. 127"  
Insert "sec. 128"

Page 113, line 14:  
Delete "sec. 128"  
Insert "sec. 129"

Page 113, line 15:  
Delete "sec. 130"  
Insert "sec. 131"

Page 113, line 16:  
Delete "sec. 166"  
Insert "sec. 167"

Page 113, line 17:  
Delete "166"  
Insert "167"

Page 113, line 29:  
Delete "sec. 105"  
Insert "sec. 106"

Page 114, line 1:  
Delete "sec. 129"  
Insert "sec. 130"

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Page 114, line 2:

Delete "sec. 131"

Insert "sec. 132"

Page 114, line 3:

Delete "sec. 132"

Insert "sec. 133"

Page 114, line 4:

Delete "sec. 133"

Insert "sec. 134"

Page 114, line 5:

Delete "sec. 134"

Insert "sec. 135"

Page 114, line 6:

Delete "sec. 135"

Insert "sec. 136"

Page 114, line 7:

Delete "sec. 136"

Insert "sec. 137"

Page 114, line 8:

Delete "sec. 137"

Insert "sec. 138"

Page 114, line 9:

Delete "sec. 138"

Insert "sec. 139"

Page 114, line 10:

Delete "sec. 139"

Insert "sec. 140"

Page 114, line 11:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 12:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 13:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 14:

Delete "sec. 102"

Insert "sec. 103"

Page 114, line 15:

Delete "sec. 142"

Insert "sec. 143"

Page 114, line 16:

Delete "sec. 142"

Insert "sec. 143"

Page 114, line 17:

Delete "sec. 142"

Insert "sec. 143"

Page 114, line 18:

Delete "sec. 142"

Insert "sec. 143"

Page 115, line 4:

Delete "sec. 101"

Insert "sec. 102"

Page 115, line 19:

Delete "sec. 166"

Insert "sec. 167"

Page 115, line 22:

Delete "sec. 168(a)"

Insert "sec. 169(a)"

Page 115, line 24:

Delete "sec. 168(b)"

Insert "sec. 169(b)"

Page 115, line 27:

Delete "sec. 168(c)"

Insert "sec. 169(c)"

Page 115, line 30:

Delete "sec. 168(d)"

Insert "sec. 169(d)"

Page 116, line 2:

Delete "sec. 105"

Insert "sec. 106"

Delete "sec. 168(e)"

Insert "sec. 169(e)"

Page 116, lines 5 - 6:

Delete "90 - 94, 97, 99 - 101, 142, 148 - 158, 167, 168(b), 168(c), and 168(d)"

Insert "91 - 95, 98, 100 - 102, 143, 149 - 159, 168, 169(b), 169(c), and 169(d)"

Page 116, line 8:

Delete "Section 89"

Insert "Section 90"

Page 116, lines 9 - 10:

Delete "95, 96, 98, 102 - 104, 106 - 141, 143 - 146, and 159 - 161"

Insert "96, 97, 99, 103 - 105, 107 - 142, 144 - 147, and 160 - 162"

Page 116, line 11:

Delete "Section 147"

Insert "Section 148"

Page 116, line 12:

Delete "105, 168(a), and 168(e)"

Insert "106, 169(a), and 169(e)"

Page 116, line 14:

Delete "sec. 166"

Insert "sec. 167"

Representative LeDoux moved and asked unanimous consent that Amendment No. 3 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 3 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO.  
91(FIN) am H

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

Amendment No. 4 was offered by Representative LeDoux:

Page 1, line 11, following "**corrections;**" (title amendment):

Insert "**relating to collecting information about civil litigation by the Alaska Judicial Council;**"

Page 1, line 12, following "**Procedure;**" (title amendment):

Insert "**repealing Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate**"

**Procedure;"**

Page 107, following line 25:

Insert a new bill section to read:

"\* **Sec. 167.** Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate Procedure, are repealed."

Renumber the following bill sections accordingly.

Page 107, following line 30:

Insert a new bill section to read:

"\* **Sec. 169.** AS 09.68.130 is repealed."

Renumber the following bill sections accordingly.

Page 115, line 22:

Delete "sec. 168(a)"

Insert "sec. 170(a)"

Page 115, line 24:

Delete "sec. 168(b)"

Insert "sec. 170(b)"

Page 115, line 27:

Delete "sec. 168(c)"

Insert "sec. 170(c)"

Page 115, line 30:

Delete "sec. 168(d)"

Insert "sec. 170(d)"

Page 116, line 2:

Delete "sec. 168(e)"

Insert "sec. 170(e)"

Page 116, following line 4:

Insert new material to read:

"(g) Sections 167 and 169 of this Act take effect only if sec. 167 of this Act receives the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State of Alaska.

\* **Sec. 177.** If secs. 167 and 169 of this Act take effect under sec. 176(g) of this Act, secs. 167 and 169 take effect immediately under

AS 01.10.070(c)."

Renumber the following bill sections accordingly.

Page 116, line 6:

Delete "168(b), 168(c), and 168(d)"

Insert "170(b), 170(c), and 170(d)"

Page 116, line 12:

Delete "168(a), and 168(e)"

Insert "170(a), and 170(e)"

Representative LeDoux moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Gara objected.

\*\*The presence of Representative Wool was noted.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Second Reading

Amendment No. 4

**YEAS: 27 NAYS: 12 EXCUSED: 1 ABSENT: 0**

Yeas: Claman, Colver, Drummond, Edgmon, Foster, Gattis, Herron, Hughes, Johnson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Ortiz, Reinbold, Seaton, Spohnholz, Stutes, Talerico, Tarr, Tilton, Wilson

Nays: Gara, Guttenberg, Josephson, Neuman, Olson, Pruitt, Saddler, Thompson, Tuck, Vazquez, Wool, Chenault

Excused: Hawker

And so, Amendment No. 4 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO.  
91(FIN) am H

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances;



relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; relating to collecting information about civil litigation by the Alaska Judicial Council; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; repealing Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate Procedure; and providing for an effective date."

Amendment No. 5 was not offered.

Amendment No. 6 was offered by Representatives Kreiss-Tomkins, Millett, Claman, and Drummond:

Page 109, following line 26:

Insert a new bill section to read:

"\* **Sec. 172.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT OF THE ALASKA CRIMINAL JUSTICE COMMISSION REGARDING SOCIAL IMPACT BONDS. The Alaska Criminal Justice Commission established in AS 44.19.641 shall submit to the governor and the legislature not later than December 15, 2016, a report regarding the potential of using social impact bonds to reduce recidivism rates. The commission shall deliver the report to the senate secretary and the chief clerk of the house of representatives and notify the legislature that the report is available. The report shall cover the following topics:

(1) identification and evaluation of grant programs, contracts, and services of the Department of Corrections and the Department of Health and Social Services that may be suitable for social impact

financing;

(2) the possibility of private sector investors providing social impact financing;

(3) programs operated by nonprofit corporations that could be funded through a social impact financing mechanism;

(4) independent evaluators that could determine whether performance targets for a nonprofit corporation funded by social impact financing are met at the end of an agreed-on time frame; and

(5) whether federal funding is available for independent evaluators participating in social impact funding."

Renumber the following bill sections accordingly.

Representative Kreiss-Tomkins moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Pruitt objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Second Reading

Amendment No. 6

**YEAS: 24 NAYS: 14 EXCUSED: 1 ABSENT: 1**

Yeas: Colver, Drummond, Edgmon, Foster, Gara, Guttenberg, Herron, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Nageak, Ortiz, Seaton, Spohnholz, Stutes, Talerico, Tarr, Tuck, Wool, Claman

Nays: Gattis, Hughes, Johnson, Keller, Munoz, Neuman, Olson, Pruitt, Reinbold, Saddler, Thompson, Tilton, Wilson, Chenault

Excused: Hawker

Absent: Vazquez

And so, Amendment No. 6 was adopted.

The Speaker stated that, without objection, the House would recess until 7:00 p.m.; and so, the House recessed at 2:44 p.m.

**AFTER RECESS**

The Speaker called the House back to order at 7:07 p.m.

**THIRD READING OF SENATE BILLS**

(continued)

**SB 91**

HCS CSSSSB 91(FIN) am H was before the House in second reading (page 2608).

Amendment No. 7 was offered by Representative Josephson:

Page 25, lines 17 - 23:

Delete all material and insert:

**\*\* Sec. 49.** AS 12.30.006(b) is repealed and reenacted to read:

(b) At the first appearance before a judicial officer, a person may be detained up to 48 hours for the prosecuting authority to demonstrate that release of the person under AS 12.30.011 would not reasonably ensure the appearance of the person or will pose a danger to the victim, other persons, or the community, if the person has been charged with the following crimes:

- (1) an unclassified, class A, or class B felony;
- (2) a class C felony under AS 11.41.220, 11.41.260, 11.41.425, AS 11.46.310, 11.46.360, AS 11.51.100(d)(2) or (f), 11.51.200, AS 11.56.320, 11.56.335, 11.56.540, 11.56.590, 11.56.610, 11.56.770, 11.56.835, AS 11.61.123(f)(1), 11.61.127, 11.61.128(d), 11.61.140(h), 11.61.200, 11.61.240(b)(3), or 11.61.250; or
- (3) a class C felony, other than a class C felony listed in (2) of this subsection, and the person has been assessed as moderate to high risk under AS 12.30.011(c)(2)."

Representative Josephson moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Claman objected.

Representative Millett moved and asked unanimous consent that Representative Vazquez be excused from a call of the House today. There being no objection, it was so ordered.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H  
Second Reading  
Amendment No. 7

**YEAS: 10 NAYS: 28 EXCUSED: 2 ABSENT: 0**

Yeas: Drummond, Herron, Josephson, Kawasaki, Lynn, Ortiz, Pruitt, Reinbold, Tuck, Colver

Nays: Edgmon, Foster, Gara, Gattis, Guttenberg, Hughes, Johnson, Keller, Kito, Kreiss-Tomkins, LeDoux, Millett, Munoz, Nageak, Neuman, Olson, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Wilson, Wool, Claman, Chenault

Excused: Hawker, Vazquez

Ortiz changed from "Nay" to "Yea".

And so, Amendment No. 7 was not adopted.

Amendment No. 8 was offered by Representative Josephson:

Page 29, following line 19:

Insert a new subsection to read:

"(g) Notwithstanding (c) of this section, a pretrial services officer may not assess a person as low risk if the person has been charged with a class C felony under

- (1) AS 11.46.310 or 11.46.360;
- (2) AS 11.51.100(d)(2) or (f) or 11.51.200;
- (3) AS 11.56.320, 11.56.335, 11.56.540, 11.56.590, 11.56.610, 11.56.770, or 11.56.835; or
- (4) AS 11.61.123(f)(1), 11.61.140(h), 11.61.200, 11.61.240(b)(3), or 11.61.250."

Reletter the following subsections accordingly.

Page 68, following line 29:

Insert a new subsection to read:

"(f) Notwithstanding (c)(2) of this section, a pretrial services officer may not assess a person as low risk if the person has been

charged with a class C felony under

- (1) AS 11.46.310, 11.46.360;
- (2) AS 11.51.100(d)(2) or (f) or 11.51.200,
- (3) AS 11.56.320, 11.56.335, 11.56.540, 11.56.590,  
11.56.610, 11.56.770, or 11.56.835; or
- (4) AS 11.61.123(f)(1), 11.61.140(h), 11.61.200,  
11.61.240(b)(3), or 11.61.250."

Reletter the following subsections accordingly.

Representative Josephson moved and asked unanimous consent that Amendment No. 8 be adopted.

Representative Claman objected.

The question being: "Shall Amendment No. 8 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Second Reading

Amendment No. 8

**YEAS: 7 NAYS: 31 EXCUSED: 2 ABSENT: 0**

Yeas: Herron, Josephson, Lynn, Ortiz, Reinbold, Tuck, Drummond

Nays: Edgmon, Foster, Gara, Gattis, Guttenberg, Hughes, Johnson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Wilson, Wool, Claman, Colver, Chenault

Excused: Hawker, Vazquez

And so, Amendment No. 8 was not adopted.

Amendment No. 9 was offered by Representative Josephson:

Page 43, line 18, following "unclassified":

Insert ", class A, or class B"

Representative Josephson moved and asked unanimous consent that Amendment No. 9 be adopted.

Representative Claman objected.

The question being: "Shall Amendment No. 9 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Second Reading

Amendment No. 9

**YEAS: 10 NAYS: 26 EXCUSED: 2 ABSENT: 2**

Yeas: Herron, Josephson, Kawasaki, Lynn, Millett, Ortiz, Pruitt, Tarr, Tuck, Colver

Nays: Gara, Gattis, Guttenberg, Hughes, Johnson, Keller, Kito, Kreiss-Tomkins, LeDoux, Munoz, Nageak, Neuman, Olson, Saddler, Seaton, Spohnholz, Stutes, Talerico, Thompson, Tilton, Wilson, Wool, Claman, Edgmon, Foster, Chenault

Excused: Hawker, Vazquez

Absent: Reinbold, Drummond

And so, Amendment No. 9 was not adopted.

Amendment No. 10 was not offered.

Amendment No. 11 was offered by Representative Josephson:

Page 52, line 3:

Delete "**30**"

Insert "**100**"

Page 52, lines 10 - 13:

Delete all material and insert:

**"(A) AS 11.46.330;**

**(B) AS 11.46.486;**

**(C) AS 11.56.755(b)(1);**

**(D) AS 11.56.780;**

**(E) AS 11.61.116(c)(1) and the person is 21 years of age or older;**

**(F) AS 11.61.120(a)(6) and the person is 21 years of age or older;**

**(G) AS 11.61.220;**

**(H) AS 11.61.240(b)(2); or**  
**(I) AS 11.76.140(b)(2).**

Representative Josephson moved and asked unanimous consent that Amendment No. 11 be adopted.

Representative Gara objected.

The question being: "Shall Amendment No. 11 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Second Reading

Amendment No. 11

**YEAS: 11 NAYS: 27 EXCUSED: 2 ABSENT: 0**

Yeas: Josephson, Kawasaki, Lynn, Millett, Ortiz, Pruitt, Reinbold, Tarr, Tuck, Wool, Drummond

Nays: Gattis, Guttenberg, Herron, Hughes, Johnson, Keller, Kito, Kreiss-Tomkins, LeDoux, Munoz, Nageak, Neuman, Olson, Saddler, Seaton, Spohnholz, Stutes, Talerico, Thompson, Tilton, Wilson, Claman, Colver, Edgmon, Foster, Gara, Chenault

Excused: Hawker, Vazquez

And so, Amendment No. 11 was not adopted.

Amendment No. 12 was offered by Representative Josephson:

Page 52, line 30:

Delete "24 hours"

Insert "5 days"

Representative Josephson moved and asked unanimous consent that Amendment No. 12 be adopted.

Representative Claman objected.

The question being: "Shall Amendment No. 12 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H  
Second Reading  
Amendment No. 12

**YEAS: 2 NAYS: 35 EXCUSED: 2 ABSENT: 1**

Yeas: Josephson, Lynn

Nays: Guttenberg, Herron, Hughes, Johnson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Chenault

Excused: Hawker, Vazquez

Absent: Reinbold

And so, Amendment No. 12 was not adopted.

Amendment No. 13 was offered by Representative Josephson:

Page 52, line 20:

Delete "five days of suspended"

Insert "10 days of"

Page 52, line 24:

Delete "or"

Page 52, line 25:

Delete "active or suspended"

Insert "more than seven days of"

Page 52, line 26:

Delete "not been previously convicted, or has previously been convicted once,"

Insert "been previously convicted once"

Page 52, line 28, following "elements":

Insert "; or

(3) a sentence of more than five days of suspended imprisonment if the person has not been previously convicted of



an offense under AS 11.46.110 - 11.46.220, 11.46.260 - 11.46.290, 11.46.360 or 11.46.365, or a law or ordinance of this or another jurisdiction with substantially similar elements"

Representative Josephson moved and asked unanimous consent that Amendment No. 13 be adopted.

Representative Claman objected.

The question being: "Shall Amendment No. 13 be adopted?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H  
Second Reading  
Amendment No. 13

**YEAS: 4 NAYS: 34 EXCUSED: 2 ABSENT: 0**

Yeas: Herron, Josephson, Lynn, Tuck

Nays: Hughes, Johnson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Wilson, Wool, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttentberg, Chenault

Excused: Hawker, Vazquez

And so, Amendment No. 13 was not adopted.

The Speaker stated that, without objection, HCS CSSSSB 91(FIN) am H will be held in second reading to tomorrow's calendar.

### ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 6, 2016.

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Millett moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 3, 2016. There being no objection, the House adjourned at 9:11 p.m.

Crystalline Jones  
Chief Clerk