

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 126(), Draft Version "S"

1 Page 2, lines 10 - 12:

2 Delete "require the person instituting the suit to give security for the payment of costs.
3 If judgment is for the defendant, treble costs shall be assessed against the plaintiff. The
4 defendant in the action shall"

5 Insert "[REQUIRE THE PERSON INSTITUTING THE SUIT TO GIVE SECURITY
6 FOR THE PAYMENT OF COSTS. IF JUDGMENT IS FOR THE DEFENDANT, TREBLE
7 COSTS SHALL BE ASSESSED AGAINST THE PLAINTIFF. THE DEFENDANT IN THE
8 ACTION SHALL]"

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- 1 Page 4, lines 6 - 7:
- 2 Delete "be relieved from amenability"
- 3 Insert "raise a defense that the person is not subject"

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TO: CSHB 126(), Draft Version "S"

- 1 Page 5, line 1, following "is":
- 2 Insert "currently"

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1 Page 10, line 25, following "cases.":

2 Insert "If the officer who is authorized to convene a summary court-martial is the
3 accuser in the matter, the court hearing the matter shall be convened by a superior competent
4 authority, if practicable."

5

6 Page 10, line 26:

7 Delete "competent"

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- 1 Page 16, line 29, following "delay":
- 2 Insert "as soon as possible"

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1 Page 21, lines 26 - 27:

2 Delete "by confinement not to exceed 30 days or a fine of \$100, or both"

3 Insert "as provided in AS 09.50.020 for civil contempt"

4

5 Page 21, lines 29 - 30:

6 Delete "in an amount not to exceed \$100"

7 Insert "as provided in AS 09.50.020 for civil contempt"

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- 1 Page 24, line 16:
- 2 Delete "what further action may be appropriate"
- 3 Insert "further action that is legally permissible"

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1 Page 24, line 21, following "court":

2 Insert "on the record, in an open court, and in the presence of all parties to the trial"

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- 1 Page 24, line 26, following "trial":
- 2 Insert "before a vote is taken on the findings"

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- 1 Page 29, line 7:
- 2 Delete "totally"

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1 Page 31, lines 1 - 2:

2 Delete all material and insert:

3 "(b) The commission has

4 (1) jurisdiction to hear appeals from courts-martial by the

5 (A) state in accordance with AS 26.05.525; and

6 (B) accused regarding sentences, punishments, clearly
7 erroneous findings, and matters of law; and

8 (2) the discretion to remand those cases to a competent court martial."

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- 1 Page 33, line 30:
- 2 Delete "statute"
- 3 Insert "federal or state statute or regulation"

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- 1 Page 35, line 18, following "commands,":
- 2 Insert "solicits,"

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1 Page 48, line 16, following "who":

2 Insert "intentionally"

3

4 Page 48, line 17, following the first occurrence of "or":

5 Insert "wilfully"

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1 Page 48, lines 22 - 23:

2 Delete "by up to six months of confinement and by such other punishment"

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- 1 Page 56, line 16, following "officer,":
- 2 Insert "warrant officer,"