

AMENDMENT #6

OFFERED IN THE SENATE

TO: SCS CSHB 49(FIN), Draft Version "O"

1 Page 1, line 7, following "program;":

2 Insert "relating to cancellation of a driver's license;"

3

4 Page 60, following line 28:

5 Insert a new bill section to read:

6 **** Sec. 93.** AS 28.15.161(a) is amended to read:

7 (a) The department shall cancel a driver's license upon determination that

8 (1) the licensee is not medically or otherwise entitled to the issuance or
9 retention of the license, or has been adjudged incompetent to drive a motor vehicle;

10 (2) there is an error or defect in the license;

11 (3) the licensee failed to give the required or correct information in the
12 licensee's application;

13 (4) the license was obtained fraudulently;

14 (5) the licensee is restricted from purchasing alcoholic beverages under
15 AS 04.16.160; if a license is cancelled under this paragraph, when a new license is
16 issued, it must reflect that restriction and the requirements of AS 28.15.111 if the
17 period of restriction under AS 04.16.160 is still in effect; [OR]

18 (6) the licensee has a license issued under AS 28.15.046 and has been
19 convicted of an offense described in AS 28.15.046(c) or (d) that would disqualify the
20 licensee from obtaining a license under that section; or

21 (7) the licensee owes \$1,000 or more in unpaid fines for offenses
22 involving a moving motor vehicle and failed to

23 (A) pay the fines in full as required by the court; or

1 **(B) make payments in good faith on the unpaid balance of**
 2 **the fines under a payment plan established by the department."**

3
 4 Renumber the following bill sections accordingly.

5
 6 Page 90, line 8:

7 Delete "sec. 93"
 8 Insert "sec. 94"

9
 10 Page 90, line 9:

11 Delete "sec. 94"
 12 Insert "sec. 95"

13
 14 Page 90, line 29:

15 Delete "sec. 95"
 16 Insert "sec. 96"

17
 18 Page 90, line 30:

19 Delete "sec. 97"
 20 Insert "sec. 98"

21
 22 Page 90, line 31:

23 Delete "sec. 122"
 24 Insert "sec. 123"

25
 26 Page 91, line 1:

27 Delete "sec. 123"
 28 Insert "sec. 124"

29
 30 Page 91, line 12:

31 Delete "sec. 100"

1 Insert "sec. 101"
2
3 Page 91, line 13:
4 Delete "sec. 101"
5 Insert "sec. 102"
6
7 Page 91, line 14:
8 Delete "sec. 102"
9 Insert "sec. 103"
10
11 Page 91, line 15:
12 Delete "sec. 103"
13 Insert "sec. 104"
14
15 Page 91, line 16:
16 Delete "sec. 104"
17 Insert "sec. 105"
18
19 Page 91, line 17:
20 Delete "sec. 105"
21 Insert "sec. 106"
22
23 Page 91, line 20:
24 Delete "sec. 106"
25 Insert "sec. 107"
26
27 Page 91, line 21:
28 Delete "sec. 107"
29 Insert "sec. 108"
30
31 Page 91, line 22:

1 Delete "sec. 108"
2 Insert "sec. 109"
3
4 Page 91, line 23:
5 Delete "sec. 109"
6 Insert "sec. 110"
7
8 Page 91, line 24:
9 Delete "sec. 110"
10 Insert "sec. 111"
11
12 Page 91, line 25:
13 Delete "sec. 112"
14 Insert "sec. 113"
15
16 Page 91, line 26:
17 Delete "sec. 113"
18 Insert "sec. 114"
19
20 Page 91, line 27:
21 Delete "sec. 114"
22 Insert "sec. 115"
23
24 Page 91, line 28:
25 Delete "sec. 115"
26 Insert "sec. 116"
27
28 Page 91, line 30:
29 Delete "sec. 116"
30 Insert "sec. 117"
31

1 Page 91, line 31:
2 Delete "sec. 117"
3 Insert "sec. 118"
4
5 Page 92, line 1:
6 Delete "sec. 118"
7 Insert "sec. 119"
8
9 Page 92, line 2:
10 Delete "sec. 119"
11 Insert "sec. 120"
12
13 Page 92, line 3:
14 Delete "sec. 120"
15 Insert "sec. 121"
16
17 Page 92, line 4:
18 Delete "sec. 121"
19 Insert "sec. 122"
20
21 Page 92, line 5:
22 Delete "sec. 111"
23 Insert "sec. 112"
24
25 Page 92, line 6:
26 Delete "sec. 111"
27 Insert "sec. 112"
28
29 Page 92, line 7:
30 Delete "sec. 111"
31 Insert "sec. 112"

1

2 Page 92, line 8:

3 Delete "sec. 96"

4 Insert "sec. 97"

5

6 Page 92, line 9:

7 Delete "sec. 98"

8 Insert "sec. 99"

9

10 Page 92, following line 11:

11 Insert a new subsection to read:

12 "(h) AS 28.15.161(a), as amended by sec. 93 of this Act, applies to a driver's license
13 canceled on or after the effective date of sec. 93 of this Act for failure to pay fines imposed on
14 or after the effective date of sec. 93 of this Act."

15

16 Page 92, line 15:

17 Delete "sec. 105"

18 Insert "sec. 106"

19

20 Page 92, line 21:

21 Delete "secs. 127 and 128"

22 Insert "secs. 128 and 129"

23

24 Page 93, line 1:

25 Delete "Sections 138 - 141"

26 Insert "Sections 139 - 142"

27

28 Page 93, lines 1 - 2:

29 Delete "secs. 138 - 141"

30 Insert "secs. 139 - 142"

31

1 Page 93, line 4:

2 Delete "Sections 129 - 132"

3 Insert "Sections 130 - 133"

4

5 Page 93, line 5:

6 Delete "Sections 126 - 128"

7 Insert "Sections 127 - 129"

8

9 Page 93, line 6:

10 Delete "Section 134"

11 Insert "Section 135"

12

13 Page 93, line 7:

14 Delete "Sections 99, 143, 145, and 148"

15 Insert "Sections 100, 144, 146, and 149"

16

17 Page 93, line 9:

18 Delete "secs. 151 - 154"

19 Insert "secs. 152 - 155"

AMENDMENT #7

OFFERED IN THE SENATE

TO: SCS CSHB 49(FIN), Draft Version "O"

1 Page 28, line 16, through page 32, line 26:

2 Delete all material and insert:

3 **** Sec. 50.** AS 11.71.040(a) is amended to read:

4 (a) Except as authorized in AS 17.30 and AS 17.38, a person commits the
5 crime of misconduct involving a controlled substance in the fourth [THIRD] degree if
6 the person

7 (1) manufactures or delivers any amount of a schedule IVA or VA
8 controlled substance or possesses any amount of a schedule IVA or VA controlled
9 substance with intent to manufacture or deliver;

10 (2) manufactures or delivers, or possesses with the intent to
11 manufacture or deliver, one or more preparations, compounds, mixtures, or substances
12 of an aggregate weight of one ounce or more containing a schedule VIA controlled
13 substance;

14 (3) possesses any amount of a schedule IA controlled substance listed
15 in AS 11.71.140(e);

16 (4) possesses a schedule IIIA, IVA, VA, or VIA controlled substance

17 (A) with reckless disregard that the possession occurs

18 (i) on or within 500 feet of school grounds; or

19 (ii) at or within 500 feet of a recreation or youth center;

20 or

21 (B) on a school bus;

22 (5) knowingly keeps or maintains any store, shop, warehouse,
23 dwelling, building, vehicle, boat, aircraft, or other structure or place that is used for

1 keeping or distributing controlled substances in violation of a felony offense under this
2 chapter or AS 17.30;

3 (6) makes, delivers, or possesses a punch, die, plate, stone, or other
4 thing that prints, imprints, or reproduces a trademark, trade name, or other identifying
5 mark, imprint, or device of another or any likeness of any of these on a drug, drug
6 container, or labeling so as to render the drug a counterfeit substance;

7 (7) knowingly uses in the course of the manufacture or distribution of a
8 controlled substance a registration number that is fictitious, revoked, suspended, or
9 issued to another person;

10 (8) knowingly furnishes false or fraudulent information in or omits
11 material information from any application, report, record, or other document required
12 to be kept or filed under AS 17.30;

13 (9) obtains possession of a controlled substance by misrepresentation,
14 fraud, forgery, deception, or subterfuge;

15 (10) affixes a false or forged label to a package or other container
16 containing any controlled substance; or

17 (11) manufactures or delivers, or possesses with the intent to
18 manufacture or deliver,

19 (A) one or more preparations, compounds, mixtures, or
20 substances of an aggregate weight of less than one gram containing a schedule
21 IA controlled substance;

22 (B) less than 25 tablets, ampules, or syrettes containing a
23 schedule IA controlled substance;

24 (C) one or more preparations, compounds, mixtures, or
25 substances of an aggregate weight of less than 2.5 grams containing a schedule
26 IIA or IIIA controlled substance; or

27 (D) less than 50 tablets, ampules, or syrettes containing a
28 schedule IIA or IIIA controlled substance; or

29 (12) violates AS 11.71.050(a)(4), 11.71.060(a)(2), or 11.71.060(a)(4)
30 and has been previously convicted of a crime under AS 11.71.050(a)(4),
31 11.71.060(a)(2)(B), or 11.71.060(a)(4).

* **Sec. 51.** AS 11.71.040(d) is amended to read:

(d) Misconduct involving a controlled substance in the fourth [THIRD] degree is a class C felony.

* **Sec. 52.** AS 11.71.050 is amended to read:

Sec. 11.71.050. Misconduct involving a controlled substance in the fifth [FOURTH] degree. (a) Except as authorized in AS 03.05, AS 17.30, and AS 17.38 [AS 17.30], a person commits the crime of misconduct involving a controlled substance in the fifth [FOURTH] degree if the person

(1) manufactures or delivers, or possesses with the intent to manufacture or deliver, one or more preparations, compounds, mixtures, or substances of an aggregate weight of less than one ounce containing a schedule VIA controlled substance;

(2) [REPEALED]

(3) fails to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under AS 17.30; [OR]

(4) under circumstances not proscribed under AS 11.71.030(a)(3), 11.71.040(a)(3), 11.71.040(a)(4), [OR] 11.71.060(a)(2), or 11.71.060(a)(4), possesses

(A) any amount of a schedule IA [, IIA, IIIA, IVA, VA, OR VIA] controlled substance;

(B) any amount of a IIA controlled substance except a controlled substance listed in AS 11.71.150(e)(11) - (15);

(C) 25 or more tablets, ampules, or syrettes containing a schedule IIIA or IVA controlled substance;

(D) one or more preparations, compounds, mixtures, or substances of an aggregate weight of

(i) three grams or more containing a schedule IIIA or IVA controlled substance except a controlled substance in a form listed in (ii) of this subparagraph;

(ii) 12 grams or more containing a schedule IIIA controlled substance listed in AS 11.71.160(f)(7) - (16) that has been sprayed on or otherwise applied to tobacco, an herb, or another

organic material; or

(iii) 500 milligrams or more of a schedule IIA controlled substance listed in AS 11.71.150(e)(11) - (15);

(E) 50 or more tablets, ampules, or syrettes containing a schedule VA controlled substance;

(F) one or more preparations, compounds, mixtures, or substances of an aggregate weight of six grams or more containing a schedule VA controlled substance;

(G) one or more preparations, compounds, mixtures, or substances of an aggregate weight of four ounces or more containing a schedule VIA controlled substance; or

(H) 25 or more plants of the genus cannabis.

(b) Misconduct involving a controlled substance in the fifth [FOURTH] degree is a class A misdemeanor.

* Sec. 53. AS 11.71.060 is amended to read:

Sec. 11.71.060. Misconduct involving a controlled substance in the sixth [FIFTH] degree. (a) Except as authorized in AS 17.30 or AS 17.38, a person commits the crime of misconduct involving a controlled substance in the sixth [FIFTH] degree if the person

(1) uses or displays any amount of a schedule VIA controlled substance;

(2) possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of

(A) less than one ounce containing a schedule VIA controlled substance;

(B) six grams or less containing a schedule IIIA controlled substance listed in AS 11.71.160(f)(7) - (16) that has been sprayed on or otherwise applied to tobacco, an herb, or another organic material; [OR]

(3) refuses entry into a premise for an inspection authorized under AS 17.30; or

(4) under circumstances not proscribed under AS 11.71.030(a)(3),

11.71.040(a)(3), 11.71.040(a)(4), 11.71.050(a)(4), or (2) of this subsection,
possesses

(A) less than 25 tablets, ampules, or syrettes containing a
schedule IIIA or IVA controlled substance;

(B) one or more preparations, compounds, mixtures, or
substances of an aggregate weight of less than

(i) three grams containing a schedule IIIA or IVA
controlled substance except a controlled substance in a form listed
in (ii) of this subparagraph;

(ii) 12 grams but more than six grams containing a
schedule IIIA controlled substance listed in AS 11.71.160(f)(7) -
(16) that has been sprayed on or otherwise applied to tobacco, an
herb, or another organic material; or

(iii) 500 milligrams containing a schedule IIA
controlled substance listed in AS 11.71.150(e)(11) - (15);

(C) less than 50 tablets, ampules, or syrettes containing a
schedule VA controlled substance;

(D) one or more preparations, compounds, mixtures, or
substances of an aggregate weight of less than six grams containing a
schedule VA controlled substance; or

(E) one or more preparations, compounds, mixtures, or
substances of an aggregate weight of one ounce or more containing a
schedule VIA controlled substance.

(b) Misconduct involving a controlled substance in the sixth [FIFTH] degree
 is a class B misdemeanor."

Page 32, lines 28 - 30:

Delete all material and insert:

"(a) A person may not be prosecuted for a violation of AS 11.71.040(a)(3),
(4), or (12), 11.71.050(a)(4), or 11.71.060(a)(1), (2), or (4) [AS 11.71.030(a)(3),
 11.71.040(a)(3) OR (4), 11.71.050(a)(4), OR 11.71.060(a)(1) OR (2)] if that person"

1

2 Page 33, lines 3 - 6:

3 Delete all material and insert:

4 "(A) the evidence supporting the prosecution for an offense
5 under AS 11.71.040(a)(3), (4), or (12), 11.71.050(a)(4), or 11.71.060(a)(1),
6 (2), or (4) [AS 11.71.030(a)(3), 11.71.040(a)(3) OR (4), 11.71.050(a)(4), OR
7 11.71.060(a)(1) OR (2)] was obtained or discovered as a result of the person
8 seeking medical or law enforcement assistance;"

9

10 Page 33, lines 11 - 14:

11 Delete all material and insert:

12 "(2) was experiencing a drug overdose and sought medical assistance,
13 and the evidence supporting a prosecution for an offense under AS 11.71.040(a)(3),
14 (4), or (12), 11.71.050(a)(4), or 11.71.060(a)(1), (2), or (4) [AS 11.71.030(a)(3),
15 11.71.040(a)(3) OR (4), 11.71.050(a)(4), OR 11.71.060(a)(1) OR (2)] was obtained as
16 a result of the overdose and the need for medical assistance."

AMENDMENT

#0

OFFERED IN THE SENATE

TO: SCS CSHB 49(FIN), Draft Version "O"

1 Page 34, lines 29 - 30:

2 Delete "does not include [INCLUDES] the person's inability to post the required
3 bail;"

4 Insert "includes the person's inability to post the required bail if the person can show
5 that the person made a good faith effort to post the required bail;"

6

7 Page 35, lines 4 - 5:

8 Delete "[; HOWEVER, A PERSON MAY RECEIVE ONLY ONE BAIL REVIEW
9 HEARING SOLELY FOR INABILITY TO PAY]"

10 Insert "; however, a person may receive only one bail review hearing solely for
11 inability to pay"

AMENDMENT #9

OFFERED IN THE SENATE

TO: SCS CSHB 49(FIN), Draft Version "O"

- 1 Page 41, line 20:
- 2 Delete "180"
- 3 Insert "360"

AMENDMENT #10

OFFERED IN THE SENATE

TO: SCS CSHB 49(FIN), Draft Version "O"

- 1 Page 1, line 1, following "procedure;":
- 2 Insert "relating to marriage as a defense to certain crimes of sexual assault;"
- 3
- 4 Page 2, line 22:
- 5 Delete "sec. 75"
- 6 Insert "sec. 76"
- 7
- 8 Page 2, line 23:
- 9 Delete "sec. 79"
- 10 Insert "sec. 80"
- 11
- 12 Page 2, line 26:
- 13 Delete "sec. 75"
- 14 Insert "sec. 76"
- 15
- 16 Page 3, line 2:
- 17 Delete "sec. 75"
- 18 Insert "sec. 76"
- 19
- 20 Page 3, line 15:
- 21 Delete "sec. 87"
- 22 Insert "sec. 88"
- 23

1 Page 3, line 20:

2 Delete "sec. 87"

3 Insert "sec. 88"

4

5 Page 3, line 24:

6 Delete "sec. 87"

7 Insert "sec. 88"

8

9 Page 7, line 7, following "(d)":

10 Insert "or (e)"

11

12 Page 7, following line 9:

13 Insert a new bill section to read:

14 "** Sec. 7. AS 11.41.432(c) is amended to read:

15 (c) It is an affirmative defense to a crime charged under AS 11.41.425(a)(5) or
16 11.41.427(a)(4) that

17 (1) the offender and the person on probation or parole had, before the
18 person was placed on probation or parole, a dating relationship or a sexual relationship
19 that [, AND THE RELATIONSHIP] continued until the date of the alleged offense;
20 and

21 (2) the person on probation or parole consented to the act for
22 which the offender is charged."

23

24 Renumber the following bill sections accordingly.

25

26 Page 7, line 10:

27 Delete "a new subsection"

28 Insert "new subsections"

29

30 Page 7, line 12:

31 Delete "person and"

1 Insert "person,"

2

3 Page 7, line 13:

4 Delete "marriage."

5 Insert "marriage, and the person consented to the act for which the offender was
6 charged.

7 (e) It is an affirmative defense for a crime charged under AS 11.41.410(a)(3),
8 11.41.420(a)(2), 11.41.420(a)(3)(A), or 11.41.425(a)(1)(A) that the offender is
9 married to the person, neither party has filed with the court for separation, divorce, or
10 dissolution of the marriage, and the person consented to the act for which the offender
11 is charged while capable of understanding the nature or consequences of the offender's
12 conduct."

13

14 Page 88, following line 12:

15 Insert a new paragraph to read:

16 "(6) AS 11.41.432(c), as amended by sec. 7 of this Act;"

17

18 Renumber the following paragraphs accordingly.

19

20 Page 88, line 13, following "AS 11.41.432(d)":

21 Insert "and (e)"

22

23 Page 88, line 13:

24 Delete "sec. 7"

25 Insert "sec. 8"

26

27 Page 88, line 14:

28 Delete "sec. 8"

29 Insert "sec. 9"

30

31 Page 88, line 15:

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

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

1
2 Page 88, line 31:
3 Delete "sec. 25"
4 Insert "sec. 26"
5
6 Page 89, line 1:
7 Delete "sec. 26"
8 Insert "sec. 27"
9
10 Page 89, line 2:
11 Delete "sec. 27"
12 Insert "sec. 28"
13
14 Page 89, line 3:
15 Delete "sec. 28"
16 Insert "sec. 29"
17
18 Page 89, line 4:
19 Delete "sec. 29"
20 Insert "sec. 30"
21
22 Page 89, line 5:
23 Delete "sec. 30"
24 Insert "sec. 31"
25
26 Page 89, line 6:
27 Delete "sec. 31"
28 Insert "sec. 32"
29
30 Page 89, line 7:
31 Delete "sec. 32"

1 Insert "sec. 33"
2
3 Page 89, line 8:
4 Delete "sec. 33"
5 Insert "sec. 34"
6
7 Page 89, line 9:
8 Delete "sec. 34"
9 Insert "sec. 35"
10
11 Page 89, line 10:
12 Delete "sec. 35"
13 Insert "sec. 36"
14
15 Page 89, line 11:
16 Delete "sec. 36"
17 Insert "sec. 37"
18
19 Page 89, line 12:
20 Delete "sec. 37"
21 Insert "sec. 38"
22
23 Page 89, line 13:
24 Delete "sec. 38"
25 Insert "sec. 39"
26
27 Page 89, line 14:
28 Delete "sec. 39"
29 Insert "sec. 40"
30
31 Page 89, line 15:

1 Delete "sec. 40"
2 Insert "sec. 41"
3
4 Page 89, line 16:
5 Delete "sec. 41"
6 Insert "sec. 42"
7
8 Page 89, line 17:
9 Delete "sec. 42"
10 Insert "sec. 43"
11
12 Page 89, line 18:
13 Delete "sec. 43"
14 Insert "sec. 44"
15
16 Page 89, line 19:
17 Delete "sec. 44"
18 Insert "sec. 45"
19
20 Page 89, line 20:
21 Delete "sec. 45"
22 Insert "sec. 46"
23
24 Page 89, line 21:
25 Delete "sec. 46"
26 Insert "sec. 47"
27
28 Page 89, line 22:
29 Delete "sec. 47"
30 Insert "sec. 48"
31

1 Page 89, line 23:
2 Delete "sec. 48"
3 Insert "sec. 49"
4
5 Page 89, line 24:
6 Delete "sec. 49"
7 Insert "sec. 50"
8
9 Page 89, line 25:
10 Delete "sec. 50"
11 Insert "sec. 51"
12
13 Page 89, line 26:
14 Delete "sec. 51"
15 Insert "sec. 52"
16
17 Page 89, line 27:
18 Delete "sec. 52"
19 Insert "sec. 53"
20
21 Page 89, line 28:
22 Delete "sec. 53"
23 Insert "sec. 54"
24
25 Page 89, line 29:
26 Delete "sec. 54"
27 Insert "sec. 55"
28
29 Page 89, line 30:
30 Delete "sec. 55"
31 Insert "sec. 56"

1
2 Page 89, line 31:
3 Delete "sec. 56"
4 Insert "sec. 57"
5
6 Page 90, line 1:
7 Delete "sec. 57"
8 Insert "sec. 58"
9
10 Page 90, line 2:
11 Delete "sec. 58"
12 Insert "sec. 59"
13
14 Page 90, line 3:
15 Delete "sec. 59"
16 Insert "sec. 60"
17
18 Page 90, line 4:
19 Delete "sec. 60"
20 Insert "sec. 61"
21
22 Page 90, line 5:
23 Delete "sec. 61"
24 Insert "sec. 62"
25
26 Page 90, line 6:
27 Delete "sec. 62"
28 Insert "sec. 63"
29
30 Page 90, line 7:
31 Delete "sec. 88"

1 Insert "sec. 89"
2
3 Page 90, line 8:
4 Delete "sec. 93"
5 Insert "sec. 94"
6
7 Page 90, line 9:
8 Delete "sec. 94"
9 Insert "sec. 95"
10
11 Page 90, line 12:
12 Delete "sec. 63"
13 Insert "sec. 64"
14
15 Page 90, line 13:
16 Delete "sec. 64"
17 Insert "sec. 65"
18
19 Page 90, line 14:
20 Delete "sec. 65"
21 Insert "sec. 66"
22
23 Page 90, line 15:
24 Delete "sec. 66"
25 Insert "sec. 67"
26
27 Page 90, line 16:
28 Delete "sec. 67"
29 Insert "sec. 68"
30
31 Page 90, line 17:

1 Delete "sec. 68"
2 Insert "sec. 69"
3
4 Page 90, line 18:
5 Delete "sec. 69"
6 Insert "sec. 70"
7
8 Page 90, line 19:
9 Delete "sec. 72"
10 Insert "sec. 73"
11
12 Page 90, line 20:
13 Delete "sec. 73"
14 Insert "sec. 74"
15
16 Page 90, line 21:
17 Delete "sec. 74"
18 Insert "sec. 75"
19
20 Page 90, line 22:
21 Delete "sec. 75"
22 Insert "sec. 76"
23
24 Page 90, line 23:
25 Delete "sec. 76"
26 Insert "sec. 77"
27
28 Page 90, line 24:
29 Delete "sec. 77"
30 Insert "sec. 78"
31

1 Page 90, line 25:
2 Delete "sec. 78"
3 Insert "sec. 79"
4
5 Page 90, line 26:
6 Delete "sec. 79"
7 Insert "sec. 80"
8
9 Page 90, line 27:
10 Delete "sec. 80"
11 Insert "sec. 81"
12
13 Page 90, line 28:
14 Delete "sec. 81"
15 Insert "sec. 82"
16
17 Page 90, line 29:
18 Delete "sec. 95"
19 Insert "sec. 96"
20
21 Page 90, line 30:
22 Delete "sec. 97"
23 Insert "sec. 98"
24
25 Page 90, line 31:
26 Delete "sec. 122"
27 Insert "sec. 123"
28
29 Page 91, line 1:
30 Delete "sec. 123"
31 Insert "sec. 124"

1

2 Page 91, line 4:

3 Delete "sec. 84"

4 Insert "sec. 85"

5

6 Page 91, line 5:

7 Delete "sec. 85"

8 Insert "sec. 86"

9

10 Page 91, line 6:

11 Delete "sec. 86"

12 Insert "sec. 87"

13

14 Page 91, line 7:

15 Delete "sec. 87"

16 Insert "sec. 88"

17

18 Page 91, line 10:

19 Delete "sec. 70"

20 Insert "sec. 71"

21

22 Page 91, line 11:

23 Delete "sec. 71"

24 Insert "sec. 72"

25

26 Page 91, line 12:

27 Delete "sec. 100"

28 Insert "sec. 101"

29

30 Page 91, line 13:

31 Delete "sec. 101"

1 Insert "sec. 102"
2
3 Page 91, line 14:
4 Delete "sec. 102"
5 Insert "sec. 103"
6
7 Page 91, line 15:
8 Delete "sec. 103"
9 Insert "sec. 104"
10
11 Page 91, line 16:
12 Delete "sec. 104"
13 Insert "sec. 105"
14
15 Page 91, line 17:
16 Delete "sec. 105"
17 Insert "sec. 106"
18
19 Page 91, line 20:
20 Delete "sec. 106"
21 Insert "sec. 107"
22
23 Page 91, line 21:
24 Delete "sec. 107"
25 Insert "sec. 108"
26
27 Page 91, line 22:
28 Delete "sec. 108"
29 Insert "sec. 109"
30
31 Page 91, line 23:

1 Delete "sec. 109"
2 Insert "sec. 110"
3
4 Page 91, line 24:
5 Delete "sec. 110"
6 Insert "sec. 111"
7
8 Page 91, line 25:
9 Delete "sec. 112"
10 Insert "sec. 113"
11
12 Page 91, line 26:
13 Delete "sec. 113"
14 Insert "sec. 114"
15
16 Page 91, line 27:
17 Delete "sec. 114"
18 Insert "sec. 115"
19
20 Page 91, line 28:
21 Delete "sec. 115"
22 Insert "sec. 116"
23
24 Page 91, line 30:
25 Delete "sec. 116"
26 Insert "sec. 117"
27
28 Page 91, line 31:
29 Delete "sec. 117"
30 Insert "sec. 118"
31

1 Page 92, line 1:
2 Delete "sec. 118"
3 Insert "sec. 119"
4
5 Page 92, line 2:
6 Delete "sec. 119"
7 Insert "sec. 120"
8
9 Page 92, line 3:
10 Delete "sec. 120"
11 Insert "sec. 121"
12
13 Page 92, line 4:
14 Delete "sec. 121"
15 Insert "sec. 122"
16
17 Page 92, line 5:
18 Delete "sec. 111"
19 Insert "sec. 112"
20
21 Page 92, line 6:
22 Delete "sec. 111"
23 Insert "sec. 112"
24
25 Page 92, line 7:
26 Delete "sec. 111"
27 Insert "sec. 112"
28
29 Page 92, line 8:
30 Delete "sec. 96"
31 Insert "sec. 97"

1
2 Page 92, line 9:
3 Delete "sec. 98"
4 Insert "sec. 99"
5
6 Page 92, line 15:
7 Delete "sec. 105"
8 Insert "sec. 106"
9
10 Page 92, line 21:
11 Delete "secs. 127 and 128"
12 Insert "secs. 128 and 129"
13
14 Page 93, line 1:
15 Delete "Sections 138 - 141"
16 Insert "Sections 139 - 142"
17
18 Page 93, lines 1 - 2:
19 Delete "secs. 138 - 141"
20 Insert "secs. 139 - 142"
21
22 Page 93, line 4:
23 Delete "Sections 129 - 132"
24 Insert "Sections 130 - 133"
25
26 Page 93, line 5:
27 Delete "Sections 126 - 128"
28 Insert "Sections 127 - 129"
29
30 Page 93, line 6:
31 Delete "Section 134"

1 Insert "Section 135"

2

3 Page 93, line 7:

4 Delete "Sections 99, 143, 145, and 148"

5 Insert "Sections 100, 144, 146, and 149"

6

7 Page 93, line 9:

8 Delete "secs. 151 - 154"

9 Insert "secs. 152 - 155"

CONCEPTUAL AMENDMENT

#11

OFFERED IN THE SENATE
TO: SCS CSHB 49 (FIN) VERSION O

BY SENATOR WIELECHOWSKI

1 Page 74, line 13:

2 Delete: "Decisions"

3 Insert: "Except for portions containing personal medical, mental health, or substance
4 abuse treatment information or information that is otherwise required to be kept confidential
5 by state or federal law, decisions"

6

7 Page 74, line 15:

8 Insert following "website": "with any confidential portions redacted"

CONCEPTUAL AMENDMENT

#12

OFFERED IN THE SENATE FINANCE COMMITTEE

BY SENATOR von Imhof

TO: SCS CS HB 49 (FIN) version O

This is a conceptual amendment. Legislative Legal is directed to make any additions, changes, or deletions to the suggested language and any conforming changes in order accomplish the intent, including changes to the title.

INTENT OF AMENDMENT: Additional technical changes, as requested by Department of Law and outlined below

1 Page 21, line 6:

2 DELETE 11.61.128;

3 INSERT AS 11.61.127 (possession of child pornography)

4

5 Page 22, line 30, following "AS 11.41.455"

6 add: a cite for AS 11.61.123 and make any necessary grammatical changes

7

8 This will ensure that there is no overlap between the indecent viewing and production

9 (AS 11.61.123) and solicitation or production of an indecent picture statutes.

CONCEPTUAL AMENDMENT #13

OFFERED IN THE SENATE FINANCE COMMITTEE

BY SENATOR von Imhof

TO: SCS CS HB 49 (FIN) version O

This is a conceptual amendment. Legislative Legal is directed to make any additions, changes, or deletions to the suggested language and any conforming changes in order accomplish the intent, including changes to the title.

INTENT OF AMENDMENT: To correct presumptive terms for distribution of child pornography, ensuring that repeat offenses get higher sentence ranges.

1 Page 48, lines 7-11 DELTE all material, renumber sections as necessary

2

3 Page 49, insert a new subsection into AS 12.55.125(i)(4) where appropriate:

4 if the offense is a first conviction under AS 11.61.125(e)(1), the defendant hosted,
5 created, or helped host or create a mechanism for multi-party sharing or distribution of
6 child pornography, or received a financial benefit or had a financial interest in a child
7 pornography sharing or distribution mechanism, 6-14 years;