

AMENDMENT #1

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE STAPP

- 1 Page 2, line 22, following "a":
- 2 Insert "schedule IA, IIA, IIIA, or IVA"
- 3
- 4 Page 2, lines 23 - 24:
- 5 Delete "AS 11.71.010 - 11.71.030 or 11.71.040(a)(1) for schedule IVA controlled
- 6 substances"
- 7 Insert "AS 11.71.010 - 11.71.040"

AMENDMENT #2

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE COULOMBE

1 Page 2, lines 23 - 24:

2 Delete "or 11.71.040(a)(1) for schedule IVA controlled substances"

3 Insert "that is not a schedule IVA, VA, or VIA controlled substance"

4

5 Page 2, following line 27:

6 Insert a new bill section to read:

7 "** Sec. 2. AS 11.41.120(a) is amended to read:

8 (a) A person commits the crime of manslaughter if the person

9 (1) intentionally, knowingly, or recklessly causes the death of another
10 person under circumstances not amounting to murder in the first or second degree;

11 (2) intentionally aids another person to commit suicide; or

12 (3) knowingly manufactures or delivers a schedule IVA controlled
13 substance in violation of AS 11.71.010(a)(4), 11.71.030(a)(2), or 11.71.040(a)(1)
14 [AS 11.71.010 - 11.71.030 OR 11.71.040(a)(1) FOR SCHEDULE IVA
15 CONTROLLED SUBSTANCES], and a person dies as a direct result of ingestion of
16 the controlled substance; the death is a result that does not require a culpable mental
17 state; in this paragraph, "ingestion" means voluntarily or involuntarily taking a
18 substance into the body in any manner."

19

20 Renumber the following bill sections accordingly.

21

22 Page 5, line 11:

23 Delete all material.

1

2 Renumber the following bill sections accordingly.

3

4 Page 5, line 14, following "Act,":

5 Insert "AS 11.41.120(a), as amended by sec. 2 of this Act,"

6

7 Page 5, line 15:

8 Delete "sec. 2"

9 Insert "sec. 3"

10 Delete "sec. 3"

11 Insert "sec. 4"

12

13 Page 5, line 16:

14 Delete "sec. 4"

15 Insert "sec. 5"

16

17 Page 5, line 17:

18 Delete "sec. 5"

19 Insert "sec. 6"

AMENDMENT #3

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE ORTIZ

1 Page 2, line 13:

2 Delete "or"

3 Insert "[OR]"

4

5 Page 2, lines 22 - 27:

6 Delete all material and insert:

7 "(6) another person dies as a direct result of ingesting a controlled
8 substance that is knowingly manufactured or delivered by the person in violation
9 of

10 (A) AS 11.71.010 - 11.71.030; or

11 (B) AS 11.71.040(a)(1) for schedule IVA controlled
12 substances.

13 * Sec. 2. AS 11.41.110 is amended by adding new subsections to read:

14 (c) A death under (a)(6) of this section is a result that does not require a
15 culpable mental state.

16 (d) In (a)(6) of this section, "ingesting" means voluntarily or involuntarily
17 taking a substance into the body in any manner."

18

19 Renumber the following bill sections accordingly.

20

21 Page 5, line 14, following "Act,":

22 Insert "AS 11.41.110(c) and (d), added by sec. 2 of this Act,"

23

1 Page 5, line 15:

2 Delete "sec. 2"

3 Insert "sec. 3"

4 Delete "sec. 3"

5 Insert "sec. 4"

6

7 Page 5, line 16:

8 Delete "sec. 4"

9 Insert "sec. 5"

10

11 Page 5, line 17:

12 Delete "sec. 5"

13 Insert "sec. 6"

AMENDMENT #4

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE JOSEPHSON

1 Page 1, line 2:

2 Delete "in the first degree"

3

4 Page 3, following line 25:

5 Insert new bill sections to read:

6 "** Sec. 4. AS 11.71.030(a) is amended to read:

7 (a) Except as authorized in AS 17.30, a person commits the crime of
8 misconduct involving a controlled substance in the third degree if the person

9 (1) [REPEALED]

10 (2) delivers any amount of a

11 (A) schedule IVA or [,] VA [, OR VIA] controlled substance to
12 a person under 19 years of age who is at least three years younger than the
13 person delivering the substance; or

14 (B) schedule VIA controlled substance to a person under 18
15 years of age who is at least three years younger than the person delivering
16 the substance;

17 (3) possesses any amount of a schedule IA or IIA controlled substance

18 (A) with reckless disregard that the possession occurs

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

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

21 or

22 (B) on a school bus;

23 (4) [REPEALED]

1 (5) [REPEALED]

2 (6) [REPEALED]

3 (7) [REPEALED]

4 (8) [REPEALED]

5 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6),
6 manufactures or delivers any amount of a schedule IIA or IIIA controlled substance or
7 possesses any amount of a schedule IIA or IIIA controlled substance with intent to
8 manufacture or deliver.

9 * **Sec. 5.** AS 11.71.040(a) is amended to read:

10 (a) Except as authorized in AS 17.30 and AS 17.38, a person commits the
11 crime of misconduct involving a controlled substance in the fourth degree if the person

12 (1) manufactures or delivers any amount of a schedule IVA or VA
13 controlled substance or possesses any amount of a schedule IVA or VA controlled
14 substance with intent to manufacture or deliver;

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

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

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

22 (A) with reckless disregard that the possession occurs

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

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

25 or

26 (B) on a school bus;

27 (5) knowingly keeps or maintains any store, shop, warehouse,
28 dwelling, building, vehicle, boat, aircraft, or other structure or place that is used for
29 keeping or distributing controlled substances in violation of a felony offense under this
30 chapter or AS 17.30;

31 (6) makes, delivers, or possesses a punch, die, plate, stone, or other

1 thing that prints, imprints, or reproduces a trademark, trade name, or other identifying
 2 mark, imprint, or device of another or any likeness of any of these on a drug, drug
 3 container, or labeling so as to render the drug a counterfeit substance;

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

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

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

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

14 (11) [REPEALED]

15 (12) violates AS 11.71.050(a)(4) and, within the preceding 10 years,
 16 has been previously convicted of a crime under AS 11.71.050(a)(4), or a law or
 17 ordinance in this or another jurisdiction with elements similar to AS 11.71.050(a)(4);
 18 or

19 (13) delivers any amount of a schedule VIA controlled substance to
 20 a person who is 18 years of age who is at least three years younger than the
 21 person delivering the substance."

22
 23 Renumber the following bill sections accordingly.

24
 25 Page 5, line 16:

26 Following the first occurrence of "Act,":

27 Insert "AS 11.71.030(a), as amended by sec. 4 of this Act, AS 11.71.040(a), as
 28 amended by sec. 5 of this Act,"

29 Delete "sec. 4"

30 Insert "sec. 6"

- 1 Page 5, line 17:
- 2 Delete "sec. 5"
- 3 Insert "sec. 7"

AMENDMENT #5

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE TOMASZEWSKI

1 Page 3, line 28:

2 Delete "20"

3 Insert "**21** [20]"

4

5 Page 4, line 21:

6 Delete "10 to 14"

7 Insert "**12 to 16** [10 TO 14]"

8

9 Page 4, line 23:

10 Delete "15 to 20"

11 Insert "**17 to 21** [15 TO 20]"

AMENDMENT #6

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE JOSEPHSON

- 1 Page 4, line 19, following "delivery":
- 2 Insert "under AS 11.71.021(a)(1)"
- 3
- 4 Page 4, line 20, following "substance":
- 5 Insert "set out in AS 11.71.140(c)(29)"

AMENDMENT **#7**

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE ORTIZ

1 Page 1, line 3:

2 Delete "relating to the computation of good time;"

3

4 Page 4, line 24, through page 5, line 10:

5 Delete all material.

6

7 Renumber the following bill sections accordingly.

8

9 Page 5, line 16, following the first occurrence of "Act,":

10 Insert "and"

11

12 Page 5, lines 16 - 17:

13 Delete "and AS 33.20.010(a), as amended by sec. 5 of this Act,"

AMENDMENT #8

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE HANNAN

1 Page 1, line 3:

2 Delete "relating to the computation of good time;"

3

4 Page 4, line 24, through page 5, line 10:

5 Delete all material.

6

7 Renumber the following bill sections accordingly.

8

9 Page 5, line 16, following the first occurrence of "Act,":

10 Insert "and"

11

12 Page 5, lines 16 - 17:

13 Delete "and AS 33.20.010(a), as amended by sec. 5 of this Act,"

AMENDMENT **#9**

OFFERED IN THE HOUSE
TO: CSHB 66(JUD)

BY REPRESENTATIVE JOSEPHSON

- 1 Page 5, line 8:
- 2 Delete "AS 11.71.010 - 11.71.040"
- 3 Insert "AS 11.71.010 - 11.71.030"