

**ALASKA STATE LEGISLATURE  
HOUSE JUDICIARY STANDING COMMITTEE**

March 22, 2013

1:09 p.m.

**MEMBERS PRESENT**

Representative Wes Keller, Chair  
Representative Bob Lynn, Vice Chair  
Representative Neal Foster  
Representative Gabrielle LeDoux  
Representative Max Gruenberg

**MEMBERS ABSENT**

Representative Charisse Millett  
Representative Lance Pruitt

**COMMITTEE CALENDAR**

HOUSE BILL NO. 34

"An Act making state compliance with a federal law, regulation, or presidential executive order contingent on receipt of certain information from the federal government."

- HEARD & HELD

HOUSE BILL NO. 73

"An Act relating to the commencement of actions for felony sex trafficking and felony human trafficking; relating to the crime of sexual assault; relating to the crime of unlawful contact; relating to forfeiture for certain crimes involving prostitution; relating to the time in which to commence certain prosecutions; relating to release for violation of a condition of release in connection with a crime involving domestic violence; relating to interception of private communications for certain sex trafficking or human trafficking offenses; relating to use of evidence of sexual conduct concerning victims of certain crimes; relating to procedures for granting immunity to a witness in a criminal proceeding; relating to consideration at sentencing of the effect of a crime on the victim; relating to the time to make an application for credit for time served in detention in a treatment program or while in other custody; relating to suspending imposition of sentence for sex trafficking; relating to consecutive sentences for convictions of certain crimes involving child pornography or indecent materials to minors; relating to the referral of sexual felonies

to a three-judge panel; relating to the definition of 'sexual felony' for sentencing and probation for conviction of certain crimes; relating to the definition of "sex offense" regarding sex offender registration; relating to protective orders for stalking and sexual assault and for a crime involving domestic violence; relating to the definition of 'victim counseling centers' for disclosure of certain communications concerning sexual assault or domestic violence; relating to violent crimes compensation; relating to certain information in retention election of judges concerning sentencing of persons convicted of felonies; relating to remission of sentences for certain sexual felony offenders; relating to the subpoena power of the attorney general in cases involving the use of an Internet service account; relating to reasonable efforts in child-in-need-of-aid cases involving sexual abuse or sex offender registration; relating to mandatory reporting by athletic coaches of child abuse or neglect; making conforming amendments; amending Rules 16, 32.1(b)(1), and 32.2(a), Alaska Rules of Criminal Procedure, Rule 404(b), Alaska Rules of Evidence, and Rule 216, Alaska Rules of Appellate Procedure; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 102

"An Act relating to property exemptions for retirement plans, individual retirement accounts, and Roth IRAs; relating to transfers of individual retirement plans; relating to the rights of judgment creditors of members of limited liability companies and partners of limited liability partnerships; relating to the Uniform Probate Code, including pleadings, orders, liability, and notices under the Uniform Probate Code and the Alaska Principal and Income Act, the appointment of trust property, the Alaska Uniform Prudent Investor Act, co-trustees, trust protectors, and trust advisors; relating to the Alaska Principal and Income Act; relating to the Alaska Uniform Transfers to Minors Act; relating to the disposition of human remains; relating to the tax on insurers for life insurance policies; relating to insurable interests for certain insurance policies; relating to restrictions on transfers of trust interests; relating to discretionary interests in irrevocable trusts; relating to the community property of married persons; and amending Rule 64, Alaska Rules of Civil Procedure, and Rule 301(a), Alaska Rules of Evidence."

- BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: HB 34

SHORT TITLE: FEDERAL LAWS, REGULATIONS & EXEC. ORDERS

SPONSOR(S): REPRESENTATIVE(S) T.WILSON

01/16/13	(H)	PREFILE RELEASED 1/7/13
01/16/13	(H)	READ THE FIRST TIME - REFERRALS
01/16/13	(H)	JUD
02/25/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/25/13	(H)	Heard & Held
02/25/13	(H)	MINUTE(JUD)
03/22/13	(H)	JUD AT 1:00 PM CAPITOL 120

BILL: HB 73

SHORT TITLE: CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/16/13	(H)	READ THE FIRST TIME - REFERRALS
01/16/13	(H)	JUD, FIN
02/01/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/01/13	(H)	Heard & Held
02/01/13	(H)	MINUTE(JUD)
02/11/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/11/13	(H)	Heard & Held
02/11/13	(H)	MINUTE(JUD)
02/18/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/18/13	(H)	Heard & Held
02/18/13	(H)	MINUTE(JUD)
02/25/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/25/13	(H)	Scheduled But Not Heard
03/22/13	(H)	JUD AT 1:00 PM CAPITOL 120

**WITNESS REGISTER**

REPRESENTATIVE TAMMIE WILSON

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 34.

STACIE KRALY, Chief Assistant Attorney General - Statewide  
Section Supervisor  
Human Services Section  
Civil Division (Juneau)  
Department of Law (DOL)  
Juneau, Alaska

**POSITION STATEMENT:** Provided comments during discussion of HB 34.

MIKE COONS  
Palmer, Alaska

**POSITION STATEMENT:** Provided comments during discussion of HB 34.

CHARLES EDWARDS  
Eagle River, Alaska

**POSITION STATEMENT:** Provided comments during discussion of HB 34.

ANNE CARPENETI, Assistant Attorney General  
Legal Services Section  
Criminal Division  
Department of Law (DOL)  
Juneau, Alaska

**POSITION STATEMENT:** Presented the changes incorporated in the proposed CS for HB 73, Version U.

QUINLAN STEINER, Director  
Central Office  
Public Defender Agency (PDA)  
Department of Administration (DOA)  
Anchorage, Alaska

**POSITION STATEMENT:** Provided comments during discussion of HB 73.

#### **ACTION NARRATIVE**

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**CHAIR WES KELLER** called the House Judiciary Standing Committee meeting to order at 1:09 p.m. Representatives Keller, Foster, LeDoux, Lynn, and Gruenberg were present at the call to order. Representatives Millett and Pruitt were excused.

#### **HB 34 - FEDERAL LAWS, REGULATIONS & EXEC. ORDERS**

[1:11:13 PM](#)

CHAIR KELLER announced that the first order of business would be HOUSE BILL NO. 34, "An Act making state compliance with a federal law, regulation, or presidential executive order contingent on receipt of certain information from the federal government." [Before the committee was the proposed committee substitute (CS)

for HB 34, Version 28-LS0195\C, Nauman, 1/30/13, adopted as the working document on 2/25/13.]

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REPRESENTATIVE TAMMIE WILSON, Alaska State Legislature, sponsor, offering her understanding of what would be required under [Version C of] HB 34, indicated disfavor with the indeterminate fiscal note submitted by the [Office of Management & Budget (OMB)] for the bill. She referred to the language on page 2 of the OMB's fiscal note - dated 03/13/2013 - that read in part:

If a federal law has a significant impact, then staff, and very likely economic consultants, may need to be hired to determine the impact on the state and all of the state's communities and industries.

There are just under 250 communities in Alaska. Assessing the economic impact to these communities is not a function that agencies are typically staffed to perform. State employees implement and execute federal and state programs and cooperative agreements. They are not required to assess the economic impacts to communities and industry. Individual communities are responsible for providing this information to the legislature directly if they choose to do so. For a department to provide this information would be a tremendous undertaking and would require additional staff and consultants, depending on the requirements of the law, regulation, or presidential executive order.

REPRESENTATIVE T. WILSON offered her belief that such analyses should have already been being performed by the state before any federal funding was accepted, particularly given the impact on Alaska's communities.

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STACIE KRALY, Chief Assistant Attorney General - Statewide Section Supervisor, Human Services Section, Civil Division (Juneau), Department of Law (DOL), said that the DOL is not taking a position on HB 34, but has concerns regarding the bill's potential future impact on the executive branch of state government. Specifically, there is a concern regarding the significant costs related to evaluating [federal laws, regulations, and presidential executive orders] to the extent

required under [Version C] - including the cost of [hiring additional staff and consultants] with the necessary expertise; a concern related to identifying just which information would be necessary in order for the state to compile the reports required under the bill, particularly given the state's lack of access to information obtained at the local level or by private industry; and a concern related to the delay inherent in conducting the type of analysis required under the bill, in that such delay could result in a loss of federal funding or in missing the construction season - in turn negatively impacting local government and private industry. In conclusion she said that the DOL understands the intent of the bill's sponsor and would be willing to work with her to achieve her goals.

MS. KRALY, in response to questions, relayed that evaluating federal regulations as required under the bill raises a concern with regard to having to wait until any such regulations are actually promulgated; that Version C of HB 34 is still unclear with regard to how the state shall comply with the bill's requirements and what shall trigger compliance; and that the bill doesn't yet define the terms, "economic effect" as used on page 1, line 10, or describe the scope of the required report. Changing the bill to address those issues could be helpful, she acknowledged, and again indicated a willingness to work with the sponsor.

CHAIR KELLER ascertained that the representative from the Office of Management & Budget (OMB) had nothing further to add to Ms. Kraly's comments.

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REPRESENTATIVE LEDOUX, referring to HB 34 as a great idea, questioned whether it goes far enough, in that it doesn't yet address situations wherein local governments and communities and private industry must comply with state laws, regulations, and gubernatorial executive orders.

REPRESENTATIVE GRUENBERG concurred; noted that the terms "community" and "industry" as used on page 1, line 11, are also not yet defined in the bill; and suggested that the applicability section of the bill be changed such that the bill would apply to laws, regulations, and orders implemented 180 days after the bill becomes effective.

REPRESENTATIVE T. WILSON acknowledged those points, and reiterated that she'd thought the state was already conducting

the type of analyses that would be required under [Version C of] the bill.

REPRESENTATIVE LEDOUX suggested that perhaps the term, "industry" could be changed to the term, "person" because that term is currently defined in statute as including entities other than individual persons.

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MIKE COONS said he supports the intent of HB 34, though he expressed a preference for the original version of the bill.

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CHARLES EDWARDS said he concurs with Mr. Coons's comments.

CHAIR KELLER noted that members' packets contain information about certain federal requirements impacting the Alaska Railroad Corporation (ARRC).

REPRESENTATIVE T. WILSON, in conclusion, predicted that the administration won't be happy with any forthcoming proposed CS for HB 34 because it, too, would entail more work for the administration; and remarked: "Sometimes we might have to spend some money to find out that information, but I think overall we'll make better choices, and maybe choices we should have been making in the first place."

[HB 34, Version C, was held over.]

**HB 73 - CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT**

[Contains mention that the proposed committee substitute (CS) for HB 73, Version U, mirrors the language in the current version of the Senate companion bill, CSSB 22(JUD).]

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CHAIR KELLER announced that the final order of business would be HOUSE BILL NO. 73, "An Act relating to the commencement of actions for felony sex trafficking and felony human trafficking; relating to the crime of sexual assault; relating to the crime of unlawful contact; relating to forfeiture for certain crimes involving prostitution; relating to the time in which to commence certain prosecutions; relating to release for violation of a condition of release in connection with a crime involving

domestic violence; relating to interception of private communications for certain sex trafficking or human trafficking offenses; relating to use of evidence of sexual conduct concerning victims of certain crimes; relating to procedures for granting immunity to a witness in a criminal proceeding; relating to consideration at sentencing of the effect of a crime on the victim; relating to the time to make an application for credit for time served in detention in a treatment program or while in other custody; relating to suspending imposition of sentence for sex trafficking; relating to consecutive sentences for convictions of certain crimes involving child pornography or indecent materials to minors; relating to the referral of sexual felonies to a three-judge panel; relating to the definition of 'sexual felony' for sentencing and probation for conviction of certain crimes; relating to the definition of "sex offense" regarding sex offender registration; relating to protective orders for stalking and sexual assault and for a crime involving domestic violence; relating to the definition of 'victim counseling centers' for disclosure of certain communications concerning sexual assault or domestic violence; relating to violent crimes compensation; relating to certain information in retention election of judges concerning sentencing of persons convicted of felonies; relating to remission of sentences for certain sexual felony offenders; relating to the subpoena power of the attorney general in cases involving the use of an Internet service account; relating to reasonable efforts in child-in-need-of-aid cases involving sexual abuse or sex offender registration; relating to mandatory reporting by athletic coaches of child abuse or neglect; making conforming amendments; amending Rules 16, 32.1(b)(1), and 32.2(a), Alaska Rules of Criminal Procedure, Rule 404(b), Alaska Rules of Evidence, and Rule 216, Alaska Rules of Appellate Procedure; and providing for an effective date."

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REPRESENTATIVE LYNN moved to adopt the proposed committee substitute (CS) for HB 73, Version 28-GH1587\U, Strasbaugh, 3/20/13, as the working document.

CHAIR KELLER objected, and explained that Version U mirrors the latest version of the companion bill being heard in the Senate - CSSB 22(JUD). He then removed his objection, ascertained that there were no further objections, and announced that Version U was before the committee.

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ANNE CARPENETI, Assistant Attorney General, Legal Services Section, Criminal Division, Department of Law (DOL), explained that under Version U of HB 73, a new Section 7 would add to the statutes providing for the affirmative defense of marriage, the crime of sexual assault in the fourth degree; and a new Section 8 would add to the statutes providing for defenses, an affirmative defense - specific to [the crimes of sexual assault in the third and fourth degrees] wherein the offender is a person employed as or acting as a probation officer or parole officer, and the victim is a person on probation or parole - of having a preexisting dating or sexual relationship with the victim. In response to questions, she explained that when like changes were made to the Senate companion bill, Version U's new Section 8 engendered no controversy; that under Version U's new Section 7, it would not be a crime for a probation/parole officer to engage in [sexual contact] with his/her spouse who is on probation or parole; that in the crimes of sexual assault in the third and fourth degrees wherein the offender is someone employed or acting as a probation/parole officer and the victim is someone on probation or parole, the victim need not have been directly supervised by the offender, because the offender would still have been abusing his/her position of authority; that under the language of the bill, the offender would have to have acted with [reckless disregard] that the victim was on probation/parole; that that term is defined in statute as meaning that the offender was aware of but consciously disregarded the risk that the victim was on probation/parole; that the state would have to prove that fact beyond a reasonable doubt; and that the bill is proposing to alter the statutes related to the crimes of sexual assault in the third and fourth degrees in order to address a gap in the law that came to light last year when a probation officer working at a therapeutic court in Anchorage coerced persons under his supervision to have sex with him.

MS. CARPENETI explained that under Version U of HB 73, what is now Section 9 was redrafted and like clarifying changes to the Senate companion bill didn't engender any controversy; under this provision, [the statute pertaining to the class A misdemeanor crime of unlawful contact in the first degree] would apply to a person under official detention who [knowingly contacts or attempts to contact] a witness or a victim in violation of a court order. This addresses a gap that was brought to light when a person in Fairbanks, as a condition of bail, was ordered not to contact the victim, but because the person couldn't meet the conditions of bail and was therefore

still incarcerated when he contacted the victim in violation of the order, existing statute didn't apply.

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MS. CARPENETI explained that under Version U of HB 73, what is now Section 10 was redrafted such that [the forfeiture provision addressing the crimes of prostitution and sex trafficking in the fourth through first degrees would apply equally to all of the manifestations of those crimes] but only upon conviction, and forfeiture would be discretionary rather than mandatory.

CHAIR KELLER expressed favor with Version U's Section 10.

REPRESENTATIVE GRUENBERG, referring to that new discretionary aspect, characterized Version U's Section 10 as better but draconian nonetheless, and relayed that he might therefore be seeking to delete Section 10 from the bill or significantly narrow it.

MS. CARPENETI mentioned that allowing for the forfeiture of property is not uncommon under Alaska law, though such provisions are rarely used. In response to questions, including one regarding what would occur if the perpetrator sold property subject to forfeiture prior to his/her conviction, she offered to research the state's forfeiture law further.

MS. CARPENETI explained that under Version U, HB 73 is no longer proposing to add language regarding [electronic monitoring] to Alaska's civil statutes pertaining to protective orders; instead, [what are now Sections 12 and 13 of Version U] are proposing to amend Alaska's criminal statutes pertaining to bail in order to provide the court with the discretionary authority to order a person charged [with a stalking crime or charged with or convicted of a domestic violence crime] to participate in a monitoring program with a global positioning device or similar technological means that meet the guidelines for a monitoring program adopted by the Department of Corrections (DOC) in consultation with the Department of Public Safety (DPS).

MS. CARPENETI explained that under Version U of HB 73, what is now Section 16 was redrafted. This provision would ensure that for the crimes of sexual assault, sexual abuse of a minor, and unlawful exploitation of a minor, [or for attempts to commit such crimes,] the provision that excludes evidence of a sex-offense victim's sexual conduct would apply to conduct occurring either before or after the offense took place; would limit when

a defendant may apply to have such evidence admitted regardless, to not later than five days before trial; and would now provide an exception to that limitation for good cause or if the request is based on information learned after that deadline [or during the trial]. In response to comments and questions, she relayed that the addition of the phrase, "for good cause" to that exception was suggested by those she referred to as "the defense bar."

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MS. CARPENETI explained that under Version U, HB 73 is no longer proposing to amend the statutes and court rules regarding [transactional] immunity; the removal of those provisions from the bill addresses a concern that as changed by the original version of the bill, the applicable statutes and court rules might be misused. She mentioned that the DOL would have preferred that those provisions be retained, however. Under Version U of HB 73, she went on to explain, what are now Sections 17 and 18 were redrafted such that in addition to requiring that notice for claiming credit toward a sentence of imprisonment for time spent in a treatment program as a condition of bail or probation be filed 10 days prior to a hearing, they now also include a stipulation that the court may not - except for good cause - consider a request to allow such credit if the request is made more than 90 days after either a sentencing hearing or a disposition hearing, or - under new language in Version U's proposed Section 17 addressing situations involving an appeal - after return of the case to the trial court. In response to questions, she offered her understanding that the court has to grant such a defendant permission to enter a treatment program to begin with, and relayed that Section 17's language addressing situations involving an appeal was suggested by the Public Defender Agency (PDA).

MS. CARPENETI explained that under Version U of HB 73, what are now Sections 21 and 22 were redrafted to address the PDA's concerns that in reversing the recent Alaska Court of Appeals decision in Collins v. State, 287 P.3d 791 (Alaska App. 2012), the original version of the bill went too far because it contained language pertaining to youthful offenders; those provisions now no longer contain that language but do include language stipulating that a referral may not occur if the request for it is based solely on the claim that the defendant, either singly or in combination, has prospects for rehabilitation that are less than extraordinary, or has a

history free of unprosecuted, undocumented, or undetected sexual offenses. The language, "based solely on the claim" was suggested for inclusion by the PDA, she relayed, and offered her belief that the changes made to those provisions would clarify them and allow them to more directly address the court's decision in Collins.

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MS. CARPENETI explained that under Version U of HB 73, a new Section 25 would provide [another] conforming change to the statutes addressing the warnings on protective orders to reflect that the maximum fine for a misdemeanor violation of such an order has recently been raised from \$5,000 to \$10,000. Under Version U of HB 73, what is now Section 27 was redrafted such that the definition of the term, "victim counseling center" would now also include organizations operated by or contracted by a branch of the armed forces of the United States; again, the bill is proposing to amend that definition in order to ensure that communications between victims of domestic violence and counselors working at a military victim counseling center remain confidential, but there was a concern that the term, "military organization" was a little bit too broad for inclusion in that definition. In response to questions and comments, she offered her understanding that the definition [Version U's Section 27] is proposing to expand already addresses [victim counseling centers operated by] Native organizations, tribal organizations, and village organizations, for example. She agreed to research the issue further, though, and then suggest to the committee any changes that may be necessary to ensure that that definition includes all the committee wishes it to.

MS. CARPENETI explained that under Version U of HB 73, what is now Section 29 was redrafted such that for judges seeking retention, the Alaska Judicial Council (AJC) would be required to provide the public with information about judges' consideration of victims when imposing sentences for felony offenses that involve victims; Section 29's redrafted language - which no longer contains a reference to AS 12.55.025(a)(5) - addresses the concerns expressed by the Alaska Court System (ACS). Under Version U of HB 73, what is now Section 34 was redrafted such that for purposes of providing the attorney general with the authority to designate someone else to address applications for administrative subpoenas seeking business records from Internet service providers in cases involving child pornography, [online enticement of a minor, and unlawful exploitation of a minor crimes,] the attorney general's designee

may be [a deputy attorney general]; she mentioned that this change was made to the Senate companion bill in order to address concerns that the designee be someone with sufficient experience. Under current law, only the attorney general may address such applications.

REPRESENTATIVE GRUENBERG - pointing out that the DOL's [two] deputy attorneys general could both be unavailable at the same time the attorney general is unavailable - indicated a preference for the language originally proposed for that provision, requiring only that any such designee be an attorney employed by the DOL, because that language would provide the DOL with sufficient flexibility in instances wherein the immediate consideration and issuance of such an administrative subpoena is required.

MS. CARPENETI acknowledged that that was the rationale for proposing that provision's original language.

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MS. CARPENETI explained that under Version U of HB 73, a new Section 37 would provide certain volunteer athletic coaches with an exemption from the provisions of the bill proposing to add athletic coaches to the list of people who would be required to report instances of suspected child abuse/neglect; under Version U, the only volunteer athletic coaches who would be required to report would be those who: volunteer for more than four hours a week for four consecutive weeks or for more than twenty hours in a one-month period, have received the training required under AS 47.17.022 or similar training, and have signed a form acknowledging that he/she is required to report child abuse/neglect under AS 47.17.020.

CHAIR KELLER noted that members still have concerns with those provisions of the bill and that therefore amendments to them would be forthcoming.

REPRESENTATIVE LEDOUX relayed that the proposed exemption still doesn't alleviate her concerns with the bill's proposal to add volunteer athletic coaches to the list of those who would be statutorily required to report instances of suspected child abuse/neglect. If HB 73 isn't altered such that it would no longer apply to any volunteer athletic coaches, she warned, she would be voting against passage of the bill.

MS. CARPENETI - mentioning that the language referencing volunteer athletic coaches was removed from the Senate companion bill but then reinserted - relayed that the resulting exemption proposed by the bill's new Section 37 reflects the compromise reached in the Senate between those who felt as Representative LeDoux does and those who felt that everyone should have a duty to report suspected child abuse/neglect.

REPRESENTATIVE GRUENBERG said, "I echo the concerns."

MS. CARPENETI, in response to a question, offered her understanding that HB 73's proposed definition of the term "athletic coach" remains unchanged under Version U.

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QUINLAN STEINER, Director, Central Office, Public Defender Agency (PDA), Department of Administration (DOA) - referring to Section 39 of HB 73, proposing to directly amend Rule 16(b) of the Alaska Rules of Criminal Procedure in order to limit the publication of child pornography required during the discovery process in a criminal trial - pointed out that under that provision as currently written, only out-of-state expert witnesses may have such evidentiary material sent to them, whereas in-state expert witnesses would instead have to travel to where that material is being kept. This could result in increasing the costs associated with retaining an in-state expert witness and in limiting his/her ability to properly analyze the material, thereby increasing the likelihood that an out-of-state expert witness would instead be retained. Section 39 could be open to constitutional challenge, he remarked.

MS. CARPENETI pointed out, however, that Section 39's stipulation that such material may be copied and sent to an out-of-state expert witness was inserted at the suggestion of the PDA, even though the goal with this provision of the bill is to limit how often such material is copied, because each such instance results in further victimization of the child.

REPRESENTATIVE LEDOUX said Section 39's proposal to allow out-of-state expert witnesses to have the material sent to them while requiring in-state expert witnesses to travel to where that material is being kept doesn't make a lot of sense to her.

MR. STEINER explained that currently, whenever such material must be transferred to an expert witness - whether in-state or

out-of-state - it's done under what he called, "a stipulation and court order" that governs how the material is transferred and how it's returned or destroyed. He indicated a preference for continuing to use that process. As currently written, Section 39 could force all such material out of state due to cost, he predicted.

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REPRESENTATIVE LEDOUX turned attention back to [the bill's proposal to add athletic coaches to the list of people who would be required to report instances of suspected child abuse/neglect,] and reiterated that she has concerns with those provisions as they relate to volunteer athletic coaches - characterizing the bill's proposal to also add them to that list as awful.

REPRESENTATIVE GRUENBERG mentioned that he would be looking at other pending legislation to see if anything else could be added to HB 73. He then referred to a memorandum dated March 22, 2013, to a research brief dated February 11, 2013 - both from Legislative Legal and Research Services - and to a proposed amendment labeled 28-LS8002\A.1, Strasbaugh, 3/22/13, and indicated that they address statutory changes made back in 1987 in response to a then-ongoing court case; that proposed amendment read:

Page \_\_\_\_\_, line \_\_\_\_\_:

Insert "**relating to the rights of certain victims of sexual assault, sexual abuse of a minor, or incest to obtain legal and equitable remedies for injuries arising from the conduct of a perpetrator;**"

Page \_\_\_\_\_, line \_\_\_\_\_:

Insert a new bill section to read:

**\* Sec. A.** AS 25.23.180(i) is amended to read:

(i) Proceedings for the termination of parental rights on the grounds set out in (c)(3) of this section do not affect the rights of a victim of **sexual assault**, sexual abuse of a minor, or incest to obtain legal and equitable civil remedies for all injuries and damages arising out of the perpetrator's conduct."

[HB 73, Version U, was held over.]

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**ADJOURNMENT**

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:49 p.m.