

AMENDMENT #2

OFFERED IN THE SENATE
TO: CSSSSB 91(FIN)

BY SENATOR STOLTZE

1 Page 1, line 12, following "**programs**":

2 Insert "**and other public assistance programs**"

3

4 Page 96, following line 5:

5 Insert a new bill section to read:

6 **** Sec. 150.** AS 47.05 is amended by adding a new section to read:

7 **Sec. 47.05.035. Disqualification from public assistance for felony drug**
8 **offenses.** (a) A person convicted during or in the five years preceding a period in
9 which the person is receiving public assistance under AS 47.25 of an offense under
10 AS 11.71.010 - 11.71.050, 11.71.060(a)(2)(B), or by the law of another jurisdiction
11 that has as an element the possession, use, or distribution of a controlled substance, as
12 defined in AS 11.71.900, is disqualified from receiving public assistance under this
13 title unless the person participates in a testing program implemented by the department
14 at least quarterly, on renewal of public assistance eligibility, and on a random basis for
15 the use of illegal controlled substances. A person subject to this section who tests
16 positive for the illegal use of controlled substances or who refuses to submit to a test
17 required under this section is disqualified from receiving public assistance for six
18 months following the date of notice that the person tested positive for the use of illegal
19 controlled substances or from the date the person refused to submit to a test required
20 under this section.

21 (b) The department shall adopt regulations to implement (a) of this section.
22 The regulations adopted by the department must

23 (1) include an appeal process for a person disqualified under (a) of this

1 section; and

2 (2) provide that, where available, an alcohol safety action program
3 approved under AS 47.37.130 shall perform the drug testing.

4 (c) In this section, "public assistance" means

5 (1) a program that provides

6 (A) day care assistance under AS 47.25.001 - 47.25.095;

7 (B) general relief assistance under AS 47.25.120 - 300; or

8 (C) adult public assistance under AS 47.25.430 - 47.25.615;

9 (2) the Alaska affordable heating program under AS 47.25.621 -
10 47.25.626; or

11 (3) the food stamp program under AS 47.25.975 - 47.25.990."

12

13 Renumber the following bill sections accordingly.

14

15 Page 106, line 11:

16 Delete "sec. 150"

17 Insert "sec. 151"

18

19 Page 106, line 12:

20 Delete "sec. 151"

21 Insert "sec. 152"

22

23 Page 109, line 5:

24 Delete "sec. 159"

25 Insert "sec. 160"

26

27 Page 109, line 7:

28 Delete "sec. 159"

29 Insert "sec. 160"

30

31 Page 110, following line 13:

1 Insert a new bill section to read:

2 **"* Sec. 168.** The uncodified law of the State of Alaska is amended by adding a new section
3 to read:

4 SEVERABILITY. Under AS 01.10.030, if AS 47.05.035, enacted by sec. 150 of this
5 Act, or the application of it to any person or circumstances, is held invalid by a court of
6 competent jurisdiction, the remainder of this Act and the application to other persons or
7 circumstances are not affected."

8

9 Renumber the following bill sections accordingly.

10

11 Page 110, line 17:

12 Delete "sec. 159"

13 Insert "sec. 160"

14

15 Page 110, line 20:

16 Delete "sec. 163(a)"

17 Insert "sec. 164(a)"

18

19 Page 110, line 22:

20 Delete "sec. 163(b)"

21 Insert "sec. 164(b)"

22

23 Page 110, line 25:

24 Delete "sec. 163(c)"

25 Insert "sec. 164(c)"

26

27 Page 110, line 28:

28 Delete "sec. 163(d)"

29 Insert "sec. 164(d)"

30

31 Page 110, line 31:

1 Delete "sec. 163(e)"

2 Insert "sec. 164(e)"

3

4 Page 111, line 4:

5 Delete "145 - 152, 162, 163(b), 163(c), and 163(d)"

6 Insert "145 - 149, 151 - 153, 163, and 164(b) - (d)"

7

8 Page 111, line 8:

9 Delete "153 - 155"

10 Insert "154 - 156"

11

12 Page 111, line 10:

13 Delete "160, 161, 163(a), and 163(e)"

14 Insert "161, 162, 164(a), and 164(e)"

15

16 Page 111, line 13:

17 Delete "sec. 159"

18 Insert "sec. 160"