

HOUSE FINANCE COMMITTEE

April 26, 2016

5:08 p.m.

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CALL TO ORDER

Co-Chair Thompson called the House Finance Committee meeting to order at 5:08 p.m.

MEMBERS PRESENT

Representative Mark Neuman, Co-Chair
Representative Steve Thompson, Co-Chair
Representative Dan Saddler, Vice-Chair
Representative Bryce Edgmon
Representative Les Gara
Representative Lynn Gattis
Representative David Guttenberg
Representative Scott Kawasaki
Representative Cathy Munoz
Representative Lance Pruitt
Representative Tammie Wilson

MEMBERS ABSENT

None

ALSO PRESENT

Jane Pierson, Staff, Representative Steve Thompson; Senator John Coghill, Sponsor; Jordan Shilling, Staff, Senator John Coghill; Representative Matt Claman; Representative Lora Reinbold; Representative Liz Vasquez; Gabrielle LeDoux; Dan Ortiz.

PRESENT VIA TELECONFERENCE

John Skidmore Director, Criminal Division, Department of Law, Anchorage.

SUMMARY

CSSSSB 91(FIN) AM

OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS

CSSSSB 91(FIN) AM was HEARD and HELD in committee for further consideration.

Co-Chair Thompson reviewed the agenda for the meeting. He indicated that the committee would review the committee substitute (CS) and sectional analysis for the bill being considered.

#sb91

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(FIN) am

"An Act relating to criminal law and procedure; relating to controlled substances; relating to immunity from prosecution for the crime of prostitution; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to the publication of suspended entries of judgment on a publicly available Internet website; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the excise tax on marijuana; establishing the recidivism reduction fund; relating to the Alaska Criminal Justice Commission; relating to the disqualification of persons convicted of specified drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date."

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Co-Chair Neuman MOVED to ADOPT the proposed committee substitute for SSSB 91 (FIN), Work Draft 29-LS0541\T (Martin/Gardner, 4/26/16). There being NO OBJECTION, it was so ordered.

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AT EASE

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RECONVENED

Co-Chair Thompson pointed out that there had been prior legislation that established the Alaska Criminal Justice Commission; which included legislators, judges, law enforcement officers, prosecutors, defenders, corrections officials, as well as members representing crime victims and Alaska Natives. He relayed that the commission had spent over a year conducting an exhaustive review of the state's pretrial sentencing, corrections, and community supervision data in the systems.

Co-Chair Thompson shared that the bill was put together with the 21 recommendations from the commission; and would implement proven practices to reduce recidivism, keep Alaskans safe, hold offenders accountable, and control corrections spending. The bill had no intention of trying to "fix crime." The bill was 114 pages long and had 177 sections. He wanted to convey that there had been a lot of work over a long period of time to get the bill to where it was trying to achieve reduced spending in the state's prisons. He thanked Senator Coghill for bringing the bill forward. He commented on the positive changes that happened to the bill through work in the House Judiciary Committee.

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JANE PIERSON, STAFF, REPRESENTATIVE STEVE THOMPSON, reviewed the changes by reading from a document titled "Senate Bill 91 - Summary of Changes - Version V to T" (copy on file):

Title Changes

Page 1

Deletes:

- Relating to off road system restricted noncommercial driver's licenses; relating to off road system eligible areas; relating to motor vehicle liability insurance.
- Relating to background checks for persons applying to operate marijuana establishments.
- Relating to major medical insurance coverage under the Public Employees' Retirement System of Alaska.

- Amending Rules of Criminal Procedure and repealing Rules 41(d) and (e).

Intent Language

Page 2, lines 4-7

Adds legislative intent that if marijuana taxes are lower than projected in FY17, alcohol and other drug abuse treatment and prevention fund monies may be used to cover the shortfall.

Theft Threshold

Pages 4-10; Deletes sections 20-21 (ver. V)

Removes automatic inflation-adjustment of the property crime threshold value.

Failure to Appear

Page 10, lines 29-30; Page 11, lines 1-20

Maintains failure to appear as class C felony if the person was released in connection with a felony charge and the person fails to appear for 30 days or more or does not appear in order to avoid prosecution. Previously this offense was a Class-A misdemeanor.

Controlled Substances

Page 16, lines 1-10; Page 20, lines 29-31; Page 21, lines 1-9

Reduces the weight threshold separating Felony B from Felony C schedule IA commercial drug offenses from 2.5 grams to 1 gram. Additionally, added dosage amounts alongside drug weights in determining commercial drug offenses. Previously the threshold was 2.5 grams for IA substances and did not take dosage units into account. Also, felonies simple possession of GHB, which is commonly used as a date rape drug.

Arrest

Page 24, lines 4-30

Removes the presumption that a peace officer will issue a citation rather than making an arrest for lower-level offenses, and instead permits a peace officer to issue a citation for class C felonies in certain circumstances. Removes "danger to self" from the list of circumstances where an officer is required to make an arrest.

Pretrial

Page 26, line 31; Page 27, line 1; Page 27, lines 14-15

Removes misdemeanor sex offenses from the list of offenses that could require a release on a person's own recognizance with appropriate release conditions.

Pretrial Credit

Page 38, lines 4-19

Establishes a 120-day cap on the amount of credit a defendant facing certain charges can receive for time spent on electronic monitoring pretrial.

Fines

Section 64 (ver. V)

Maintains the maximum fine for a Class A misdemeanor at \$10,000.

Probation Term Lengths

Page 42, lines 2-17

Increases the maximum probation term lengths to 15 years for felony sex offenses (up from 10 years); 10 years for unclassified felonies (up from five years); five years for other felonies (up from three years); and three years for misdemeanors under AS 11.41, crimes involving domestic violence, and misdemeanor sex offenses (up from two).

Technical Violation Caps

Page 46, lines 18-20; Page 84, lines 7-10

Adds exceptions so that the court or board of parole may impose a period of imprisonment up to the remainder of the suspended portion of the sentence for sex offenders who have violated a specific sex offender condition of probation/parole.

Murder

Page 47, lines 8-30; Section 86 (ver. V)

Increases the mandatory minimum for first degree murder to 30 years and eliminates provision relative to stacking of murder in the second degree charges.

Presumptive Ranges

Page 50, lines 1-2

Increases the presumptive term for first class C felonies from eighteen months suspended to up to 120 days of active imprisonment time.

Misdemeanors

Page 50, lines 28-31; Page 51, lines 1-3

Adds additional carve-outs from the class A misdemeanor sentencing policy for all assault-F's (rather than just DV-assault 4's) and all misdemeanor sexual offenses.

Background Checks

Section 91; Section 93 (ver. V)

Removes provision mandating a national criminal history check and fingerprinting for marijuana establishments under AS 17.38.

Off Road Licenses

Sections 95, 96, 98, 102, 107, 109, & 110

Removes exception to vehicle registration requirements for vehicles driven by an operator with an off-highway commercial driver's license or a noncommercial off-road driver's license.

Duties of Pretrial Services Officers

Page 65, lines 5-9; Page 65, lines 14-18; Page 67, lines 17-20

Adds requirement that pretrial service officers make recommendations concerning a defendant's dependency on, abuse of, or addiction to alcohol or controlled substances to the court.

Administrative Parole

Page 69, line 6

Removes crimes against a person (under AS 11.41) from eligibility for administrative parole.

Geriatric Parole

Page 70, lines 17-19

Increases the age of eligibility for geriatric parole to 60 years of age and removes unclassified and sexual offenders from eligibility.

Early Discharge

Page 83, line 9

Includes misdemeanants in the early discharge policy.

Electronic Monitoring Good Time

Page 87, lines 2-4

Clarifies that an individual receives good time while serving on electronic monitoring or in a residential treatment program for alcohol or drug abuse under prerelease furlough.

Electronic Monitoring

Page 89, lines 18-23

Requires the Department of Corrections to establish minimum standards for electronic monitoring, which may include the requirement for real-time GPS monitoring and permits the department to enter into contracts with private contractors for the provision of electronic monitoring services.

Identification Cards

Page 89, lines 24-26

Eliminates the requirement that the Department of Corrections provide driver's licenses before a prisoner's release, but retains the requirement to provide identification cards.

Sex Offender Treatment Credit

Section 155 (ver. V)

Eliminates the policy allowing sexual offenders to earn good time credit after completing treatment.

PERS

Sections 161-172 (ver. V)

Removes language permitting reimbursement of medical benefits to an eligible member's dependent children and spouse if the member dies.

Food Stamps

Page 99, lines 11-12

Creates an additional requirement for eligibility for food stamps, including successful compliance with the person's reentry plan.

Bail Schedules

Section 190 (ver. V)

Eliminates the requirement that the courts eliminate bail schedules.

Alaska Criminal Justice Commission
Section 170 (ver. V)

Eliminates the requirement that the ACJC study social impact bonds.

Ms. Pierson commented that aside from conforming amendments, the aforementioned items were the changes to the bill.

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Representative Wilson asked about the intent language on page 2, lines 4 through 7:

Adds legislative intent that if marijuana taxes are lower than projected in FY17, alcohol and other drug abuse treatment and prevention fund monies may be used to cover the shortfall.

Representative Wilson asked if the committee was aware of how much money was in question and where it had gone. She thought most of the funds were given out already.

SENATOR JOHN COGHILL, SPONSOR, thought the letter of intent had come from Co-chair Neuman, and thought there had been some money available in the alcohol treatment programs that the committee had looked at.

Co-Chair Neuman made a suggestion for the sponsor to address concerns of committee members. He wondered about the eventuality of if the marijuana funds did not provide sufficient funds for the needs that were called for. Currently the state collected close to \$40 million per year from the alcohol tax. According to statute, 50 percent of the funds went towards treatment and the other 50 percent went to the General Fund (GF). His staff had found that the alcohol fund currently had about \$20 million sequestered for treatment programs, and about 5.7 million was back-up. He thought it was good to have funds available that were collected for treatment rather than spending GF dollars.

Senator Coghill commented that he thought treatment would be a key component of changing the way things happened in

the state. He stated that the intent language was one way of communicating the intent of the bill.

Representative Wilson wanted to make sure that the money was not being taken from somewhere else where it was needed. She spoke to page 2 of the bill which referred to "simple possession" and date rape drugs. She asked for a definition of simple possession.

Senator Coghill responded that if a person had the specific drug in possession it would be presumed that the drug would be intended for use in date rape. He restated that simple possession of the drug would imply intended use (of date rape) and constitute a felony.

Representative Wilson remarked on probation term lengths on page 42, lines 2 through 17. She wanted to better understand why the state would give more time when studies had shown that issues happened closer to the beginning of a probation sentence.

Senator Coghill understood that the state would still be using the risk assessment tool, but the probation length could be up to the maximum length of time.

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JORDAN SHILLING, STAFF, SENATOR JOHN COGHILL, stated that the CS had an increase of maximum probation term lengths across the board. He furthered that research showed that if an individual was going to violate probation; they would violate within the first year, and mostly within the first three months. If an individual successfully completed a year of probation, the individual was unlikely to fail in subsequent years. He commented that while the increases might be somewhat contrary to the research and committee recommendations, the bill was trying to find a balance between the research and community condemnation and retribution.

Representative Wilson assumed new fiscal notes would show what kind of impact the changes would have.

Representative Gara indicated that he had several questions referring to bill changes he did not understand, and two of his questions pertained to policy.

Co-Chair Thompson noted that department staff would be available at the meeting the following morning after members had a chance to review the bill changes.

Representative Gara asked if the committee would be addressing amendments in the following day's meeting.

Co-Chair Thompson specified that the committee would address the bill the following day before taking amendments. He suggested that Representative Gara speak with Mr. Shilling after the meeting for specific information.

Representative Gara asked about probation term limits, and surmised that although the maximums changed, the minimum probation term limits remained the same.

Mr. Shilling responded in the affirmative.

Representative Gara referred to page 1 of the bill, and asked about the theft threshold as related to the worth of the item that was stolen. He referred to the discussion of inflation in the bill, as it pertained to the theft threshold. He wondered if there was a possible separation of powers question relating to the matter. He noted that the Consumer Price Index (CPI) was used frequently in the statutes.

Senator Coghill was not in favor of indexing to the CPI in most cases. He agreed with the change to page 1 of the bill, and thought felony policy needed to be debated along the way.

Mr. Shilling referred to a memo from the Legislative Legal Department (copy not on file) and affirmed that there had been discussion of a separation of powers issue, although he could not recall the details.

Representative Gara stated he would discuss the issue with the bill sponsors, and stated he did not want inflation to turn a misdemeanor in to a felony.

Representative Gara referred to page 24, line 4, which pertained to issuing citations for C felonies. He wondered if anything had changed in terms of misdemeanors.

Mr. Shilling stated that currently in statute, law enforcement officers had the discretion to issue a citation rather than arrest. The discretion was limited to only misdemeanors. The CS entirely removed the presumption of citation that the commission recommended. In an effort to give officers more discretion in issuing citations (considering that the policy was removed) the CS expanded it to C felonies where officers currently did not have the discretion to cite.

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Representative Gara referred to the third page of the summary document, to the change associated with presumptive ranges (page 30, lines 1 to 2 of the bill). One of the changes would increase the presumptive term on class C felonies from 18 months suspended to up to 120 days of imprisonment. He wondered if the proposed change was somewhere between 0 and 120 days.

Mr. Shilling explained that the commission recommended for a first class C felony, the presumptive range be 0 to 18 months of active supervision on probation. The CS would make active imprisonment an option, and allowed the courts to impose from 0 up to 120 days of active imprisonment.

Representative Gara asked about the sponsor's opinion on the change.

Senator Coghill was still considering the change.

Representative Gara referred to the section on misdemeanors, on page 50 of the bill. He asked for the sponsor to elaborate on the proposed change.

Mr. Shilling explained that the commission had recommended a 0 to 30 day presumptive range for class A misdemeanors with aggravators to get outside of the range, up to a full year. He continued that the version of the bill that came to the committee exempted domestic violence (DV) related assault in the fourth degree (4) from the presumption. He gave an example that a DV assault 4 could be sentence able for up to a full year. The proposed change would allow not only DV assault 4 to be sentenced up to a full year, but any assault 4, whether it was DV related or not. Additionally, the change would allow all class A

misdemeanor sexual offences able to be sentence up to a full year.

Representative Gara referred to a conversation he had previously with the sponsor, concerning a B misdemeanor offense under which a minor shared a nude picture of a minor under 16. He asked if the act would be considered a misdemeanor sexual offence.

Mr. Shilling was unsure, but thought the act would be included in the bill language. He offered to address the subject at a later date with Representative Gara.

Representative Gara addressed administrative parole. He asked for an explanation regarding the proposed change.

Mr. Shilling explained that the commission had recommended a new type of parole called administrative parole, that would presumptively grant parole to individuals who had committed a first low-level felony offense (a first class B felony or a first class C felony), to be granted parole at the one-fourth point in the sentence if they followed the rules of institution and completed any required programming. The proposed change would exclude all crimes against a persons from the policy entirely. Such individuals would not be granted presumptive parole at the one-fourth point in the sentence.

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Representative Gara referred to the section on food stamps on page 99, lines 11 - 12. He thought initially the bill suggested individuals leaving jail should not have food stamps, and the proposed change would allow offenders to be eligible for food stamps after successful compliance with a reentry plan. He asked about how long it would take for an individual to get food stamps once they left jail.

Mr. Shilling stated that the language in question included all "or" statements, so any one of the four requirements (if complied with) would make individuals eligible for food stamps. He thought every inmate's reentry plan would be different, and could not speak to the duration of time it would take to qualify for food stamps. He thought the question might be better addressed to the Department of Corrections (DOC).

Senator Coghill stated that the language specified an inmate "is complying" rather than "has complied."

Representative Gara asked if an individual would qualify for food stamps if she or he met one of the other three conditions, or if all four were required.

Mr. Shilling read the language as requiring an individual to only meet one of the four requirements.

Representative Gara inquired about bail schedules as addressed in Section 190 of the bill. He asked about the difference between what the prior version of the bill intended to do and the new version, which would re-establish bail schedules.

Mr. Shilling detailed that the commission had wanted each defendant to receive a pretrial risk assessment prior to a release decision being made, and bail schedules were contrary to the principle. He continued that a bail schedule allowed an individual to be released upon booking into a DOC facility prior to any risk assessment being completed. The commission had recommended eliminating bail schedules; however, since the new version of the bill removed the presumption of citation for law enforcement officers, it had seemed prudent to allow the courts to keep bail schedules in place. He stated that for further details on bail schedules, he would defer to Nancy Meade, General Counsel, Alaska Court System.

Representative Gara thought a large part of the bill would be risk-assessed bail, and a system for implementation. He asked how the proposed bail schedule change would impact risk-assessed bail, and wondered if bail schedules would be used in place the risk-assessed bail.

Mr. Shilling stated that while a release decision being made prior to a risk assessment was contrary to research, individuals that would be released on a bail schedule would still receive a pretrial risk assessment prior to their out-of-custody arraignment. He emphasized that the individuals in question would be assessed at some point, just not prior to release. He added that bail schedules were for misdemeanor offenses only.

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Co-Chair Neuman referred to the theft threshold listed on the first page of the explanation of changes. He asked if it was possible to measure the economic impacts of varying felony threshold amounts.

Senator Coghill responded that there had been some research done in other places in the United States, but he did not believe Alaska had been able to quantify the differences based on a dollar amount. He questioned as to what point a person would be charged with a misdemeanor (with greater capacity for accountability such as restitution); as opposed to a felony, for which any fines were paid to the state. He thought the \$500 threshold had been put into law in 1978. He was not generally in favor of indexing in law, but thought if the state examined the cost of the CPI, the amount would be around \$1800. He thought it was a worthy debate. He thought that theft of drugs was a much more significant issue in the present than it was at the time the threshold was established. He expressed that he was open to discussing the matter further.

Mr. Shilling stated that the research showed that raising property crime threshold values did not have any correlation to an increase or decrease in property crime. He would be happy to provide more detail if needed.

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Co-Chair Neuman referred to duties of the pretrial services officers as listed on page 3 of the summary of changes. He referred to previous discussion with the sponsor on the issue, and wanted the committee to understand the intent of the changes. He discussed the ability to provide more opportunity for treatment after arrest. He stated he had worked with Nancy Meade from the Alaska Court System to try and find solutions, and she had come up with the bill language. The bill proposed that a screening for drug and alcohol dependence be required when pretrial assessments were being done. If it was found that the individuals had dependency on drugs and/or alcohol, treatment would be available on a voluntary basis.

Senator Coghill agreed that that increased treatment opportunities was the goal all along. He thought the language was appropriate. He wanted to make sure that prejudicial statements were filtered properly in the risk assessment tool. He thought it would be important to

consider when developing the tool. He thought perhaps treatment could be offered as a diversionary program.

Representative Munoz asked about current sentencing for DV assault 4. She wondered if the bill changed the sentencing.

Mr. Shilling believed that current statute stipulated that a DV assault 4 crime could be sentenced up to a year. The bill did not change the sentence length. He thought that there were some mandatory minimum sentence lengths built into the DV offense section of the bill.

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JOHN SKIDMORE DIRECTOR, CRIMINAL DIVISION, DEPARTMENT OF LAW, ANCHORAGE (via teleconference), responded that an assault in the fourth degree (whether a DV offense or not) was a class A misdemeanor, which was punishable from zero up to 365 days. There was a maximum sentence of a year and an Alaska statute that set a mandatory minimums for certain assaults in the fourth degree based on whether there was a previous conviction or whether or not the assault had occurred after there was a restraining order in place.

Representative Munoz referred to the section on misdemeanors on page 3 of the bill changes summary and asked Mr. Skidmore to explain what an assault in the fourth degree. .

Mr. Skidmore responded that an assault 4 was defined by Alaska statute 1141, which was the misdemeanor level of assault. He continued that there were different elements to any crime that helped to classify the category of the assault. He discussed factors such as the level of the injury, the mental element (intentional, knowing, reckless, or negligent), and whether or not a dangerous instrument was used in the crime. The combination of the different elements informed as to the exact level of assault.

Mr. Skidmore specified that the misdemeanor assault statute had three subsections, the first of which talked about recklessly causing physical injury to another person. The second subsection pertained to when an individual criminally negligently caused physical injury to another person by means of dangerous instrument. The third subsection dealt with an individual who by words or other conduct, the person recklessly places another person in

fear of imminent physical injury. He explained that the various terms (e.g. dangerous instrument, physical injury, and serious physical injury) were all defined within the statutes.

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Representative Munoz asked if the proposed change would add assault in the fourth degree to the same level of sentencing as a DV assault in the fourth degree.

Mr. Skidmore responded that the proposed change was that DV offenses by law would have to be labelled a DV offense on any charging documents. The way the bill previously read, a DV assault 4 could be sentenced outside of the 30-day presumptive sentencing. The change that occurred in the bill stated that an assault 4 that was not a DV could be sentenced in the same way that a DV assault could potentially be sentenced. The elements of the crime did not change, the difference was whether or not there was a crime involving domestic violence or not.

Representative Munoz thanked Mr. Skidmore for the clarification.

Representative Guttenberg asked about electronic monitoring as mentioned on page 4 of the summary and on page 89 of the bill. He asked if the language was in the previous version of the bill, if it had changed, and why it was highlighted on the summary document.

Mr. Shilling stated that the provision was in the bill that the other body had passed, and thought it had been removed in the first committee of referral in the House, and was being placed back into the bill the CS.

Representative Guttenberg responded that he had questions about electronic monitoring in the previous version. He referred to the Alaska Criminal Justice Commission at the bottom of page 4 of the summary, asked about the effect of eliminating the requirement that the commission study social impact bonds.

Mr. Shilling responded that the commission had broad authority to examine, analyze, and make recommendations on all parts of the criminal justice system; presumably the authority would include social impact bonds that were meant

to reduce recidivism. He believed that the commission already had the capability to look into the issues.

Co-Chair Thompson referred back to a question from Representative Gara.

Representative Gara responded that there were a couple of issues he might want to take up with one or two amendments the following day, but would talk with the sponsor on the matters.

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Representative Wilson asked about the duties of pretrial services officers listed on page 3 of the summary. She understood that the CS would require pretrial service officers to make recommendations. She asked what kind of qualifications would be required for pretrial services officers. She thought the proposed language would require the positions to have more knowledge on recommendations to the courts.

Mr. Shilling understood that the pretrial services officer role would be very similar to that of a probation officer. Currently probation officers at DOC were trained and skilled in assessing individuals for their risks and needs, as well as making recommendations. He opined that the probation officer role could very easily transfer over to the pretrial services role.

Senator Coghill stated that the bill was trying to help define a new concept of law. He furthered that under pretrial, risk assessments would determine if an offender needed to be in jail or needed a treatment program. He specified that the language was just adding to the list of the risk assessments.

Co-Chair Thompson assumed that much of the risk assessment would be examining background, court records, and prior offenses.

Senator Coghill thought the risks being assessed was based on if there was a threat to themselves or the public, and the ability to show up to court. He furthered that if there was a drug abuse or alcohol problem, it would fall into both risk categories. The pretrial services officers would

be making the risk assessments based on the individual's history.

Representative Wilson referred to her background with special education and stated that she had given assessments to children. She was concerned that the state was going to require raising the necessary level of qualifications for those doing assessments as part of pretrial services.

Senator Coghill indicated that the recommendation had come from the committee rather than the commission or the sponsor. The language would add an additional duty to pretrial services officers, and the implementation would reveal the effectiveness or not.

Representative Wilson did not want the state to be sued over recommendations made by an individual in a job class that had no valid way of accomplishing, which had happened in other areas.

Mr. Shilling responded that it was important to note that the recommendations were simply considered by the court. The court had the final say on what conditions were imposed on an individual and whether a release decision was made.

Representative Wilson stated that the same thing happened at the Office of Children's Services, and the court took almost all of the recommendations. She thought if it was not the right person making the recommendations, then the wrong therapy, treatment, or direction could result.

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Representative Edgmon referred to the bottom of page 3 of the summary, and the reference to a geriatric parole, which would increase the age of eligibility from 55 to 60. He asked for a comment from the bill sponsor as to what the language might do to the overall savings assessment. He recalled from the criminal justice report that there would be a savings of \$424 million over 10 years. He acknowledged that changing the age of eligibility would likely not result in huge savings; but knew that prisoners were more expensive as they aged. He thought there might be cost impacts associated with the change.

Senator Coghill concurred with Representative Edgmon that the change would be a little more impactful, but was also

within the range of what the commission recommended. It was also true that the issue of the unclassified sex felonies had previously not been addressed, but was addressed in the CS.

Representative Edgmon referred to background checks listed on page 3 of the summary. He asked for the sponsor to comment on removing the provision pertaining to a criminal history check and fingerprinting for marijuana establishments, which he thought was a national requirement.

Senator Coghill explained that the issue had been requested by the Alcohol Beverage Control Board (now the Alcohol Beverage and Marijuana Control Board). The board was looking for the ability to get background checks. The language had passed in a previous bill and was no longer needed in the bill being considered.

CSSSSB 91(FIN) AM was HEARD and HELD in committee for further consideration.

Co-Chair Thompson reviewed the agenda for the following day. He stated that the committee would consider amendments for CSSSSB 91(FIN) AM.

^RECESSED to the call of the Chair

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#

ADJOURNMENT

6:03:03 PM

The meeting was adjourned at 6:03 p.m.