

**ALASKA STATE LEGISLATURE  
HOUSE JUDICIARY STANDING COMMITTEE**

April 6, 2016

1:18 p.m.

**MEMBERS PRESENT**

Representative Gabrielle LeDoux, Chair  
Representative Wes Keller, Vice Chair  
Representative Bob Lynn  
Representative Charisse Millett  
Representative Matt Claman  
Representative Jonathan Kreiss-Tomkins

**MEMBERS ABSENT**

Representative Neal Foster  
Representative Kurt Olson (alternate)

**COMMITTEE CALENDAR**

HOUSE BILL NO. 308

"An Act relating to the limitation of liability for the inspection, installation, or adjustment of a child safety seat or in providing education regarding the installation or adjustment of a child safety seat."

- MOVED HB 308 OUT OF COMMITTEE

HOUSE BILL NO. 147

"An Act relating to the investigation of cruelty to animals complaints; relating to the seizure of animals; relating to the destruction of animals; relating to a bond or security posted for the costs of care for an animal; relating to the inclusion of an animal in a protective order and the crimes and arrests for violating that protective order; and relating to the ownership of an animal upon divorce or dissolution of marriage."

- MOVED CSHB 147(JUD) OUT OF COMMITTEE

HOUSE BILL NO. 205

"An Act relating to conditions of release; relating to community work service; relating to credit toward a sentence of imprisonment for certain persons under electronic monitoring; relating to the restoration under certain circumstances of an administratively revoked driver's license, privilege to drive, or privilege to obtain a license; allowing a reduction of

penalties for offenders successfully completing court- ordered treatment programs for persons convicted of driving under the influence; relating to termination of a revocation of a driver's license; relating to restoration of a driver's license; relating to credits toward a sentence of imprisonment, to good time deductions, and to providing for earned good time deductions for prisoners; relating to early termination of probation and reduction of probation for good conduct; relating to the rights of crime victims; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to probation; relating to mitigating factors; relating to treatment programs for prisoners; relating to the duties of the commissioner of corrections; amending Rule 32, Alaska Rules of Criminal Procedure; and providing for an effective date."

- HEARD & HELD

#### **PREVIOUS COMMITTEE ACTION**

BILL: HB 308

SHORT TITLE: CHILD SAFETY SEAT INSTALLATION LIABILITY

SPONSOR(S): REPRESENTATIVE(S) MILLETT

02/12/16	(H)	READ THE FIRST TIME - REFERRALS
02/12/16	(H)	L&C, JUD
03/28/16	(H)	L&C AT 3:15 PM BARNES 124
03/28/16	(H)	Moved HB 308 Out of Committee
03/28/16	(H)	MINUTE (L&C)
03/29/16	(H)	L&C RPT 3DP 2NR
03/29/16	(H)	DP: HUGHES, TILTON, OLSON
03/29/16	(H)	NR: JOSEPHSON, KITO
04/06/16	(H)	JUD AT 1:00 PM GRUENBERG 120

BILL: HB 147

SHORT TITLE: ANIMALS: PROTECTION/RELEASE/CUSTODY

SPONSOR(S): REPRESENTATIVE(S) VAZQUEZ

03/16/15	(H)	READ THE FIRST TIME - REFERRALS
03/16/15	(H)	JUD
03/20/15	(H)	BILL REPRINTED (CORRECTED) 3/20/15
03/25/15	(H)	JUD AT 1:00 PM CAPITOL 120
03/25/15	(H)	<Bill Hearing Canceled>
04/01/15	(H)	JUD AT 1:00 PM CAPITOL 120
04/01/15	(H)	Heard & Held
04/01/15	(H)	MINUTE (JUD)

04/06/15 (H) JUD AT 1:00 PM CAPITOL 120  
 04/06/15 (H) <Bill Hearing Canceled>  
 04/07/15 (H) JUD AT 1:30 PM CAPITOL 120  
 04/07/15 (H) <Bill Hearing Canceled>  
 04/13/15 (H) JUD AT 1:00 PM CAPITOL 120  
 04/13/15 (H) <Bill Hearing Canceled>  
 02/01/16 (H) JUD AT 1:00 PM CAPITOL 120  
 02/01/16 (H) Heard & Held  
 02/01/16 (H) MINUTE (JUD)  
 02/10/16 (H) JUD AT 1:00 PM CAPITOL 120  
 02/10/16 (H) -- MEETING CANCELED --  
 04/06/16 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: HB 205

SHORT TITLE: CRIMINAL LAW/PROCEDURE; DRIV LIC; PUB AID  
 SPONSOR(S): REPRESENTATIVE(S) MILLETT

04/17/15 (H) READ THE FIRST TIME - REFERRALS  
 04/17/15 (H) JUD, FIN  
 03/11/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/11/16 (H) -- MEETING CANCELED --  
 03/12/16 (H) JUD AT 2:00 PM GRUENBERG 120  
 03/12/16 (H) -- MEETING CANCELED --  
 03/14/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/14/16 (H) Heard & Held  
 03/14/16 (H) MINUTE (JUD)  
 03/16/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/16/16 (H) Heard & Held  
 03/16/16 (H) MINUTE (JUD)  
 03/18/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/18/16 (H) Heard & Held  
 03/18/16 (H) MINUTE (JUD)  
 03/21/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/21/16 (H) Heard & Held  
 03/21/16 (H) MINUTE (JUD)  
 03/21/16 (H) JUD AT 5:00 PM GRUENBERG 120  
 03/21/16 (H) Heard & Held  
 03/21/16 (H) MINUTE (JUD)  
 03/22/16 (H) JUD AT 5:00 PM GRUENBERG 120  
 03/22/16 (H) Heard & Held  
 03/22/16 (H) MINUTE (JUD)  
 03/23/16 (H) JUD AT 12:30 AM GRUENBERG 120  
 03/23/16 (H) -- MEETING CANCELED --  
 03/23/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 03/23/16 (H) -- Continued from 3/22/16 --  
 03/28/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 03/28/16 (H) Heard & Held

03/28/16 (H) MINUTE (JUD)  
 03/30/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 03/30/16 (H) Heard & Held  
 03/30/16 (H) MINUTE (JUD)  
 03/31/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 03/31/16 (H) -- Will be Continued from 3/30/16 --  
 04/04/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 04/04/16 (H) Scheduled but Not Heard  
 04/04/16 (H) JUD AT 5:30 PM GRUENBERG 120  
 04/04/16 (H) -- MEETING CANCELED --  
 04/05/16 (H) JUD AT 1:00 PM GRUENBERG 120  
 04/05/16 (H) Scheduled but Not Heard  
 04/05/16 (H) JUD AT 5:00 PM GRUENBERG 120  
 04/05/16 (H) -- MEETING CANCELED --  
 04/06/16 (H) JUD AT 1:00 PM GRUENBERG 120

**WITNESS REGISTER**

MARIANNA CARPENETI, Assistant Attorney General  
 Civil Division  
 Torts and Workers' Compensation Section  
 Department of Law  
 Juneau, Alaska

**POSITION STATEMENT:** During the hearing of HB 308 answered a question.

SARA PENISTEN, Registered Nurse  
 Providence Alaska Medical Center  
 Anchorage, Alaska

**POSITION STATEMENT:** During the hearing of HB 308 offered support.

ANTHONY GREEN, Director of Public Policy  
 Safe Kids Worldwide  
 Washington D.C.

**POSITION STATEMENT:** During the hearing of HB 308 offered support.

DAVID WALLACE, Engineer Paramedic  
 Anchorage Fire Department  
 Anchorage, Alaska

**POSITION STATEMENT:** During the hearing of HB 308 offered support.

DON ETHRIDGE  
 Alaska State AFL-CIO  
 Juneau, Alaska

**POSITION STATEMENT:** During the hearing of HB 308 offered support.

NICOLI BAILEY, Staff  
Former Representative Max Gruenberg  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Speaking as staff, during the hearing of CSHB 147 presented the bill on behalf of former Representative Max Gruenberg, co-sponsor.

LIZ VAZQUEZ  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Testified during the hearing of CSHB 14, as co-sponsor.

GRACE ABBOTT, Staff  
Representative Charisse Millett  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** During the hearing of CSHB 205 discussed various amendments and answered questions.

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

**POSITION STATEMENT:** During the hearing of HB 205 offered testimony and answered questions.

CHRISTY WILLER, Chief Operating Officer  
Cook Inlet Tribal Council  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing of HB 205.

## **ACTION NARRATIVE**

[1:18:25M](#)

**CHAIR GABRIELLE LEDOUX** called the House Judiciary Standing Committee meeting to order at 1:18 p.m. Representatives Lynn, Millett, Keller, and LeDoux were present at the call to order. Representatives Claman and Kreiss-Tomkins arrived as the meeting was in progress.

**HB 308-CHILD SAFETY SEAT INSTALLATION LIABILITY**

1:19:04 PM

CHAIR LEDOX announced that the first order of business would be HOUSE BILL NO. 308, "An Act relating to the limitation of liability for the inspection, installation, or adjustment of a child safety seat or in providing education regarding the installation or adjustment of a child safety seat."

1:19:33 PM

REPRESENTATIVE MILLETT said that HB 308 will help save lives, make communities safer for Alaskans, and will allow technicians for child passenger safety latitude to install car seats and teach people how to install car seats without liability. She offered that these technicians are fully trained and certified through a process. Oftentimes, she noted, people go to a fire station or a hospital to have their car seat installed. This bill is a mechanism for child safety technicians to go into communities that may or may not have fire stations, and the opportunity to hold free events to teach parents, especially new parents, how to install their car seats correctly. The bill avoids any liability when certified technicians volunteer to install and educate people and, she noted, the bill has no opposition. She pointed out that it is considerably desirable in rural communities that do not currently have car seat safety technicians because it gives the technicians the opportunity to teach the smaller communities.

1:21:32 PM

REPRESENTATIVE KELLER noted that his conceptual amendment is now before the committee and stated that he feels confident with the legislative intent. He said, "Our departed friend Max, I'm standing in for him today making sure that we aren't doing something that is unintended." He noted that as he read the bill he thought it was a limitation of liability, except as provided in subsection (b), which read:

- (b) This section does not apply to a civil action
  - (1) for damages resulting from gross negligence or willful or wanton misconduct; or
  - (2) where the inspection, installation, or adjustment of a child safety seat, is performed in

conjunction with the for-profit sale of a child safety seat.

REPRESENTATIVE KELLER suggested there was the possibility of liability to parents. He stated he wants a safeguard in the bill that the legislature does not, in any manner, increase the liability of a parent taking care of their child. Mistakes will be made, he opined, and their standards for adjustment may be different for others, and stressed he wants an exemption in there for parents. In the event there is not an answer he will propose the conceptual amendment later, he said.

[1:22:50 PM](#)

REPRESENTATIVE MILLETT noted that it is a question for Legislative Legal and Research Services because it is not something that came up during their research on the bill. She agreed there could be a situation wherein parents are co-parenting and one parent has custody and the other parent has joint custody.

[1:23:14 PM](#)

CHAIR LEDOUX asked Representative Keller whether he was trying to exempt parents from legal liability.

REPRESENTATIVE KELLER answered yes.

CHAIR LEDOUX explained that in reality, the conceptual amendment exempts insurance companies from having to provide coverage. Due to the manner in which homeowner's insurance policies work, if there is a serious accident [with the child] the non-negligent parent can sue the other parent on behalf of the child and there can be liability against the other parent. Although, she pointed out, the lawsuit wouldn't even be brought unless there was insurance coverage. Therefore, she explained, this amendment would basically be a boon to the insurance companies and not the injured child, and not to the parent who would not want to be exempted because they would want their child to actually have the coverage.

[1:24:35 PM](#)

REPRESENTATIVE KELLER moved to adopt Conceptual Amendment 1, as follows:

Page 2, Line 10

DELETE

[and]

After "instructions [sic]: INSERT

or

**(D) is a parent, legal or authorized guardian; and**

CHAIR LEDOUX objected for purposes of discussion.

REPRESENTATIVE KELLER, in response to Chair LeDoux's explanation, said he started reading the bill and thought that this would exempt the liability of people [who have] successfully completed a certification course regarding the use of car seats. He then posed the question, what if someone tries to use this section of law to hold someone liable and there are many different options. He said he understands that Chair LeDoux is saying that one of the options here is that Conceptual Amendment 1 builds a boon for insurance companies and that possibly there is a more elegant way to fix the problem. Although, he stressed the committee needs to do something to be certain the bill does not increase regulation and liability on parents at some level.

REPRESENTATIVE MILLETT reiterated that she should speak with Legislative Legal and Research Services because her understanding is that this only applies to people who have been trained and have received a certificate, parents wouldn't need to be covered under this bill unless they are a certified car seat inspector. She then referred to Chair LeDoux's point and said she is more concerned about not having them under the homeowner's insurance.

[1:27:18 PM](#)

MARIANNA CARPENETI, Assistant Attorney General, Civil Division, Torts and Workers' Compensation Section, Department of Law, said she agrees this is a better question for Legislative Legal and Research Services because they are the people to discuss how the bill might be interpreted. Representative Keller is correct that parents are not referenced, but she opined that parents are not envisioned as implicated in the operation of the bill. She related that she is hesitate to offer more because she is unsure what the drafter was thinking when drafting the bill.

1:28:53 PM

The committee took an at-ease from 1:28 to 1:33:42.

1:33:42 PM

REPRESENTATIVE KELLER withdrew Conceptual Amendment 1.

CHAIR LEDOUX opened public testimony.

1:34:48 PM

SARA PENISTEN, Registered Nurse, Providence Alaska Medical Center, advised she is the coordinator of the Kids Alaska State Coalition, is a Child Safety Instructor, and has been involved in child passenger safety since 1998. She said she strongly urges the committee's support in that currently Alaska has 194 certified technicians who hold a two-year certification in child passenger safety. That certification is renewable upon specific requirements set forth by the National Child Passenger Safety Board, the National Highway Transportation Safety Administration, and the Child Passenger Safety (CPS) Certification program which is administered by Safe Kids Worldwide. She advised that the Kids Alaska State Coalition collects data annually through an extremely structured program regarding car seat misuse on car seats inspected in Alaska and offered that a lawsuit has never been brought forth naming a child passenger safety technician. However, she related they are hopeful the legislature will pass this legislation as a layer of protection, and especially encourage people in rural areas to seek out certification for people that may not be sponsored by an agency that is actively involved in the care of children or in their transportation needs. She advised that several people have contacted her with interest over the years whose agencies may not have that same interest and due to their fear of liability choose not to become certified and; therefore, cannot serve their community as a transportation resource for children.

1:37:26 PM

ANTHONY GREEN, Director of Public Policy, Safe Kids Worldwide, advised that most of the people acting as child passenger safety technicians are volunteers who go through a rigorous course to become child passenger safety technicians. He pointed out that it will help the Alaska program if candidates, sponsoring

organizations, or properties where events may take place, can be advised they are immune from civil liability. Not only have there not been any lawsuits brought in Alaska, he is unaware of any being brought in the entire United States. Although, he advised there was an incident dealt with some years ago that did not resort to litigation. He offered his appreciation for the committee's consideration of this bill.

[1:39:17 PM](#)

DAVID WALLACE, Engineer Paramedic, Anchorage Fire Department, advised he is an Engineer Paramedic with the Anchorage Fire Department in addition to being a child passenger safety technician instructor. He stated that while working in communities around Anchorage, Southeast, and Kodiak Island, a concern often expressed is around the level of liability that technicians and the agency could be involved in. This legislation would help ease the concerns of both the individuals and agencies so they will become a stronger partner in providing safe transportation for children, he opined.

[1:40:42 PM](#)

DON ETHRIDGE, Alaska State AFL-CIO, said they support this bill and explained that many members of the Alaska State AFL-CIO are fire fighters, police department employees, and many hospital nurses who volunteer their own time to offer trainings. He said this bill is viewed as an additional step in protecting the volunteers while caring for the public.

CHAIR LEDOUX, after ascertaining that no one further wished to testify, closed public testimony.

[1:41:51 PM](#)

REPRESENTATIVE KELLER moved to report HB 308, Version 29-LS1323\A out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 308 passed out of the House Judiciary Standing Committee.

[1:42:40 PM](#)

The committee took a brief at ease.

**HB 147-ANIMALS: PROTECTION/RELEASE/CUSTODY**

[1:42:43 PM](#)

CHAIR LEDOUX announced that the next order of business would be HOUSE BILL NO. 147, "An Act relating to the investigation of cruelty to animals complaints; relating to the seizure of animals; relating to the destruction of animals; relating to a bond or security posted for the costs of care for an animal; relating to the inclusion of an animal in a protective order and the crimes and arrests for violating that protective order; and relating to the ownership of an animal upon divorce or dissolution of marriage."

[1:45:09 PM](#)

REPRESENTATIVE KELLER moved to adopt CSHB 147, Version 29-LS0302\C, Wallace, 4/4/16, as the working document. There being no objection, Version C was before the committee.

[1:45:43 PM](#)

NICOLI BAILEY, Staff, Former Representative Max Gruenberg, Alaska State Legislature, was available to present the bill.

[1:45:58 PM](#)

LIZ VAZQUEZ, Alaska State Legislature, was available to answer questions.

[1:46:29 PM](#)

MS. BAILEY referred to the 4/6/16 Memorandum directed to Chair LeDoux from Megan Wallace, noting several changes, and asked whether the committee would like her to read the document into the record. She said, "As my former boss was often want to do, and Representative Vazquez was part of it, we did quite a few incarnations of this bill. And when he passed there were five amendments that he was going to add to the bill and they have now been incorporated in this new CS, from what I understand."

CHAIR LEDOUX pointed out the explanation of changes is in front of the committee and she did not believe it was necessary to read it into the record.

[1:47:53 PM](#)

The committee took an at-ease from 1:47 to 1:48 p.m.

[1:49:02 PM](#)

REPRESENTATIVE VAZQUEZ offered, "That while this has been named the 'pet bill' for the record it was the passion of former Representative Gruenberg." She pointed to "serious fiscal issues that this bill brings forth," including: correspondence from the Municipality of Anchorage advising that its animal control spent over \$100,000 during the years 2009-2011 in caring for animals seized due to neglect or cruelty. The domestic violence provisions and divorce and dissolution provisions provide judges with tools that will avoid lengthy litigation among the parties, will save time and money for private parties litigating, and for the Alaska Court System.

[1:50:33 PM](#)

REPRESENTATIVE KELLER moved to report CSHB 147, Version 29-LS0302\C, Wallace, 4/4/16, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 147(JUD) passed out of the House Judiciary Standing Committee.

[1:50:59 PM](#)

The committee took an at-ease from 1:50 to 1:55 p.m.

**HB 205-CRIMINAL LAW/PROCEDURE; DRIV LIC; PUB AID**

[1:55:12 PM](#)

CHAIR LEDOUX announced that the final order of business would be HOUSE BILL NO. 205, "An Act relating to conditions of release; relating to community work service; relating to credit toward a sentence of imprisonment for certain persons under electronic monitoring; relating to the restoration under certain circumstances of an administratively revoked driver's license, privilege to drive, or privilege to obtain a license; allowing a reduction of penalties for offenders successfully completing court-ordered treatment programs for persons convicted of driving under the influence; relating to termination of a revocation of a driver's license; relating to restoration of a driver's license; relating to credits toward a sentence of imprisonment, to good time deductions, and to providing for earned good time deductions for prisoners; relating to early termination of probation and reduction of probation for good conduct; relating to the rights of crime victims; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to probation; relating to

mitigating factors; relating to treatment programs for prisoners; relating to the duties of the commissioner of corrections; amending Rule 32, Alaska Rules of Criminal Procedure; and providing for an effective date."

[Before the House Judiciary Standing Committee was CSHB 205, labeled 29-LS0896\H, adopted 3/14/16.]

[Due to their length, some amendments discussed or adopted during the meeting are located at the end of the minutes for HB 205. Shorter amendments are included within the main text.]

[1:55:34 PM](#)

CHAIR LEDOUX advised she will attempt a less formal albeit substantive discussion with each amendment unless it becomes necessary to return to a formal substantive discussion. She advised that the committee has 29 amendment to consider.

[1:56:24 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 1, Version 29-LS0896\H.20, Martin/Gardner, 3/29/16, which read: [Amendment 1 is provided at the end of the minutes of HB 205.]

CHAIR LEDOUX objected for purposes of discussion.

[1:56:57 PM](#)

The committee took an at-ease from 1:56 to 1:59 p.m.

[1:59:35 PM](#)

GRACE ABBOTT, Staff, Representative Charisse Millett, Alaska State Legislature, advised that Amendment 1 follows the committee's discussion regarding the 120-day cap for pretrial electronic monitoring. As the bill is currently written, she explained, a person awaiting trial on electronic monitoring would only be allowed to apply 120-days spent on electronic monitoring toward their sentence. However, it was recommended that this cap be deleted from the bill because the data from the Alaska Criminal Justice Commission reveals that any day spent in jail worsens a person's outcomes post-sentencing. Therefore, [deleting] the 120-day limit would allow someone using electronic monitoring to begin their rehabilitation process while still being confined and apply that [time] to their

sentence, which would result in less time building on the criminogenic aspects of actual prison time.

[2:01:19 PM](#)

CHAIR LEDOUX asked whether the committee is repealing a bill passed last year if it does not adopt Amendment 1.

MS. ABBOTT advised that the amendment would add sideboards to the bill passed last year because that bill did not add a cap to the amount of time electronic monitoring could be applied toward a sentence. Currently, HB 205 caps at 120 days, and she described it as an amendment to the bill passed last year.

CHAIR LEDOUX commented that it would be a fairly substantial one.

MS. ABBOTT agreed.

[2:02:11 PM](#)

REPRESENTATIVE CLAMAN commented, "This amendment that's essentially withdrawing the amendment represented by the bill." He said he supports staying with last year's action because the new law has barely had time to determine whether it works.

CHAIR LEDOUX agreed.

CHAIR LEDOUX withdrew her objection. There being no further objection Amendment 1 was adopted.

[2:03:06 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 2, Version 29-LS0896\H.14, Martin/Gardner, 3/25/16, which read: [Amendment 2 is provided at the end of the minutes of HB 205.]

CHAIR LEDOUX objected for purposes of discussion.

[2:03:18 PM](#)

REPRESENTATIVE MILLETT explained that the amendment is reinvestment language and puts forward the reinvestment opportunities added to the bill and incorporates the public's involvement. She said she would like the public to know that many amendments were driven by participation from victims and the public offering input. In going through the amendment

process they did try to incorporate substantial changes while taking into consideration testimonies of the public. She stated this was crucial in making this bill something of value and not dishonoring victims of a crime.

CHAIR LEDOUX said she likes this language but is trying to understand how the legislature can be certain that this year and years into the future there will be real money supporting these programs. She pointed out that, although, the bill discusses programs, how can the House Judiciary Standing Committee be certain that at the end of the day, next year and years into the future, there will be actual dollars to implement these programs. She questioned how the committee can be certain these programs are not simply skeletal.

[2:06:42 PM](#)

REPRESENTATIVE MILLETT responded that the question has been heard throughout committee hearings and the public's concerns that "we're going to do these changes in our criminal code and what is the benefit if we do have, I think, one anticipated 1,400 less people incarcerated and that would be a cost savings to the State of Alaska and would that money roll back in." She opined that when prisoners are released and don't recidivate that is a cost saving measure, but the only way they will not return to prison is if the state has those programs in place. Consequently, the state will not see the benefit of reinvestment if it doesn't reinvest; therefore, the hook is that the programs must be in place. She offered that for the betterment of safer communities, those investments are assured by the fact that the state is letting people out of jail that can assimilate into the communities and not return to jail. Data driven information shows that reinvestment has worked in other states, and "I think Corrections, the governor's bought into this, I think Corrections has bought into this, the court system, the law. I think the legislature is moving towards buying into that theory." She said she has pondered where to put the hook in the bill where they have to reinvest, and noted it will be up to the legislature and all of the parties supporting this throughout government to make sure reinvestment happens and that that is the only way this bill works.

[2:08:21 PM](#)

CHAIR LEDOUX expressed that, clearly, she is aware that is the only way the bill works. She related that during this session of the legislature she is fairly comfortable there will be money

to support the reinvestment pieces essential to the bill, if this bill passes. She stressed that legislatures come and go, governors come and governors go, and asked whether there is not a way to make sure that ...

[2:09:26 PM](#)

REPRESENTATIVE KELLER interjected that this is an ongoing process and he agreed it will be difficult to determine exactly what will save money and what will not, but for the committee's judgment sake in moving forward, this is a work in progress and it will take the [efforts of the] legislature and all parties. There is still an indicator out there that the committee can work with even if it can't come up with exact numbers of what should be spent where. He related that the committee will have to press on and collaborate to make progress, and acknowledged that to totally reinvest every dollar saved is wishful thinking even in real life as it is nebulous moving targets.

REPRESENTATIVE MILLETT added there will be continued oversight through the Alaska Criminal Justice Commission and it will report back yearly on the status of the programs, recidivism, and reinvestment portion. The legislature can then review the baseline and determine how reinvestment is working and whether the state is meeting the missions and measures compared to the data shown that this will work and work well.

[2:11:48 PM](#)

CHAIR LEDOUX removed her objection. There being no further objection, Amendment 2 was adopted.

[2:11:57 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 3, Version 29-LS0896\H.51, Gardner, 3/31/16, which read:

Page 23, line 2:

Delete "sexual offense"

Insert "sex offense"

Page 23, line 8:

Delete "sexual offense"

Insert "sex offense"

Page 23, line 9:

Delete "AS 11.41.410 - 11.41.470"

Insert "AS 12.63.100"

CHAIR LEDOUX objected for purposes of discussion.

[2:12:17 PM](#)

MS. ABBOTT offered that the Department of Law (DOL) pointed out there was an inconsistency in the use of sex offense as a definition in the bill. She referred to page 23, lines 2, 8, and 9, which discusses citation versus arrest, and said a drafting error used a more limited definition of sexual offense. The Department of Law pointed out that the intent was probably to use the broader definition of sex offense and the amendment captures a broader category of what is considered to be an actual sex offense, she explained.

[2:13:08 PM](#)

CHAIR LEDOUX removed her objection. There being no further objection, Amendment 3 was adopted.

[2:13:22 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 4, Version 29-LS0896\H.21, Martin/Gardner, 3/29/16, which read:

Page 40, lines 3 - 6:

Delete all material and insert:

"(1) 10 [25] years for a [FELONY] sex offense; [OR]

(2) five years for an unclassified felony under AS 11 that is not a sex offense;

(3) three [10] years for a felony [ANY OTHER] offense not listed in (1) or (2) of this subsection;"

Renumber the following paragraphs accordingly.

Page 42, following line 1:

Insert a new subsection to read:

"(n) In this section, "sex offense" has the meaning given in AS 12.63.100."

CHAIR LEDOUX objected for purposes of discussion.

[2:13:29 PM](#)

REPRESENTATIVE MILLETT said that amendment relates to maximum probation for sex offenders.

MS. ABBOTT explained that the amendment changes the maximum probation terms that were recommended by the Alaska Criminal Justice Commission. The commission recommendation was based on data showing that people were most likely to violate their terms of release within the first few months of release. The commission recommended that probation terms be shortened so as to frontload resources to people recently released and most likely to violate their conditions of release. By shortening some of these terms it would limit supervision the probation officers have over some offenders, she said. She related that Laura Brooks, Department of Correction explained the difference between regular probation and the terms of probation many sex offenders have. Ms. Brooks spoke specifically about making polygraph testing compulsory in the release of sex offenders, and how it assisted with the containment model of sex offenders. It was then decided there could be positive implications in adding to the length of probation a sex offender would receive upon their release. Thereby, building on the containment model and allowing DOC to continue to oversee and contain sex offenders. A portion of the containment model includes many of the tools in place, such as the sex offender registry, and it ensures that people begin to restrict themselves as to where they go, where they live, and what they live around. She explained that extension of their probation terms assists within their specific probation.

[2:16:07 PM](#)

CHAIR LEDOUX advised that in current law it is 25-years.

MS. ABBOTT agreed.

CHAIR LEDOUX referred to the committee substitute before the committee and noted it is five years, and this amendment increases that number to ten years of probation. Within the committee substitute there isn't any time for an unclassified felony under AS 11 that is not a sex offense. She asked for an explanation regarding unclassified felonies under AS 11 that are not a sex offense.

MS. ABBOTT said an example of an unclassified felony would be murder.

CHAIR LEDOUX surmised there is five years of probation for murder and, yet, ten years for a sex offense. She asked why there shouldn't be as much time for murder as for a sex offense, and stressed that sex offenses are enormously bad, but if there is anything worse she guessed it would be murder.

MS. ABBOTT offered that the accommodation for a sex offense was not necessarily based upon the gravity of the crime, but rather for these specific requirements and containment model for sex offenders. She said she is unaware of any special probation terms someone who committed an unclassified felony would receive, and she deferred to one of the experts from the departments. However, she added the exception for sex offenders was to attempt to accommodate the polygraphing, for instance, that a sex offender would receive while on probation.

[2:18:40 PM](#)

REPRESENTATIVE CLAMAN commented that one of the practical realities is that the average sentences for first and second degree murder are usually considerably longer than the average sentences for sex offenses. Therefore, sex offenders are more likely to be back in the community on supervision and consequently there is an interest in having the longer supervision on sex offenders. Whereas, the person who commits first degree murder never gets out of prison and to the extent they do, they are likely to be on stringent conditions of parole that would go far longer than the conditions on probation. He opined that part of the reason there is not as much concern for the unclassified felonies that are not sex offenses is that they are likely on supervision under other terms.

[2:19:31 PM](#)

CHAIR LEDOUX said that makes sense. She then referred to [page 1, lines 6-7 of the amendment] subsection (3), which read:

**(3) three** [10] years for **a felony** [ANY OTHER] offense **not listed in (1) or (2) of this subsection;**

CHAIR LEDOUX asked how subsection (3) changes things from either current law or from the committee substitute before the committee.

MS. ABBOTT offered that subsection (3) refers to felony offenses that are not listed in subsections (1) or (2). She then

referred to [Sec. 69, AS 12.55.090(c)(1)], page 40, lines 3-6 of the bill, which read:

(1) five [25] years for an unclassified felony under AS 11 or a felony sex offenses; [OR]

(2) three [10] years for a felony [ANY OTHER] offense not listed in (1) of this subsection;

MS. ABBOTT stated that under current law the maximum probation term for those offenses is ten-years, and within the committee substitute before the committee is set to three-years. She reiterated that along the lines of the recommendation, the best use of probation resources is at the beginning of the probation term, as opposed to the end when people are more likely to abide by the conditions of their release.

CHAIR LEDOUX remarked that this doesn't really change things much from the committee substitute other than adding subsection (2) into the amendment and, consequently, the need to include subsection (3). She noted that she saw someone nodding and concluded that she must be correct.

CHAIR LEDOUX removed her objection. There being no further objection, Amendment 4 was adopted.

[2:21:16 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 5, Version 29-LS0896\H.22, Martin/Gardner, 3/29/16, which read:

Page 82, line 2:

Delete "in a treatment program or [,"

Insert "[IN A TREATMENT PROGRAM,]"

Page 82, line 4, following "monitoring":

Insert "or in a treatment program"

CHAIR LEDOUX objected for purposes of discussion.

[2:21:25 PM](#)

REPRESENTATIVE MILLETT advised that the amendment is credit toward good time served in treatment.

MS. ABBOTT explained that the amendment follows a line of discussion within this committee with regard to allowing [credit] to people serving a portion of their sentence on Department of Corrections (DOC) electronic monitoring, and that the term is eligible to be applied toward the person's incarcerated good time. Therefore, time spent on electronic monitoring would be counted as time spent incarcerated or time served to allow for the one-third deduction that many receive for good time. Based upon the drafting of the bill, she said, the committee previously discussed that it was strange to simply carve out electronic monitoring and not also carve out time spent in the Department of Corrections mandated treatment programs. The amendment allows for the treatment portion as well as electronic monitoring to be applied toward good time. She clarified that while the committee previously discussed the application of pretrial electronic monitoring, this [amendment] is once someone has been sentenced.

CHAIR LEDOUX removed her objection. There being no further objection, Amendment 5 was adopted.

[2:23:11 PM](#)

REPRESENTATIVE MILLETT moved to adopt Amendment 6, Version 29-LS0896\H.37, Gardner, 3/30/16, which read:

Page 46, line 8, following "victim":

Insert "(i)"

Page 46, following line 9:

Insert a new sub-subparagraph to read:

"(ii) was 16 years of age or older, one to three years;"

CHAIR LEDOUX objected for purposes of discussion.

[2:23:20 PM](#)

REPRESENTATIVE MILLETT advised that this amendment was the result of discussions within the committee and conversations with victims dealing with negligent homicide and sentencing.

MS. ABBOTT advised there two carve outs, one in existing statute and one suggested within this amendment specifically for negligent homicide. Currently, negligent homicide is a class B felony and the Alaska Criminal Justice Commission recommended

that the presumptive sentencing range for class B felonies be zero to two years. Under current statute, the exception is if the victim is under 16-years of age the presumptive range for negligent homicide is two to four years. The intent was to add an additional carve out for negligent homicide for victims over 16-years of age; therefore, a second category was created on page 1, line 6 of the amendment, which read:

**(ii) was 16 years of age or older,  
one to three years;**

MS. ABBOTT said negligent homicide would be a presumptive range of one to three years if the victim is older than 16-years of age, and preserving the two to four year presumptive range if the victim is under 16-years of age.

CHAIR LEDOUX asked whether this would be a more severe sentence than under current law.

MS. ABBOTT answered that this preserves the current presumptive range for class B felonies.

REPRESENTATIVE MILLETT added that it started at zero and this preserves the current statute for the under 16-years of age portion.

[2:25:23 PM](#)

REPRESENTATIVE CLAMAN said, "I think what we're doing is under the -- for negligent homicide, for somebody that killed an adult and was convicted of negligent homicide, the one to three year presumptive range is that presumptive range for negligent homicide today. But, for class B felonies that are not negligent homicide, and I don't want to try to list them, the presumptive term would be zero to two consistent with the recommendations of the commission." Negligent homicide is staying the same as current law, he said.

[2:26:01 PM](#)

REPRESENTATIVE KREISS-TOMKINS asked approximately how many people are charged with this class of negligent homicide because it is helpful to have a sense of scale of how many people annually would be affected by this.

MS. ABBOTT remarked that off the top of her head she could not say the number of people sentenced with negligent homicide.

Although, she advised, some of the data has shown that most people sentenced with negligent homicide receive the higher end of the presumptive range and most are able to escape that presumptive range in the case of an aggravator. Therefore, she said, the vast majority of people sentenced for negligent homicide actually do receive punishments greater than the presumptive range.

CHAIR LEDOUX removed her objection. There being no further objection, Amendment 6 was adopted.

[2:27:18 PM](#)

CHAIR LEDOUX moved to adopt Amendment 7, Version 29-LS0896\H.34, Martin/Gardner, 3/30/16, which read: [Amendment 7 provided at the end of the minutes of HB 205.]

REPRESENTATIVE MILLETT objected for discussion purposes.

[2:27:37 PM](#)

CHAIR LEDOUX explained that Amendment 7 basically clarifies that someone cannot be prosecuted for sex trafficking of themselves. She said she was approached by people representing sex workers who advised her that this actually happened in Fairbanks. Initially, she offered, she was skeptical because it was ludicrous that anyone could actually be charged with trafficking of themselves. But, she related, there was actually a case and although she had been told it was a mistake, this amendment ensures that no mistakes like this happen again.

[2:28:33 PM](#)

REPRESENTATIVE LYNN asked whether Amendment 7 is similar to Amendment 8.

CHAIR LEDOUX pointed out that Amendment 8 is Representative Lynn's amendment. She opined that his amendment shields someone from prosecution who reports someone else for sex trafficking. She offered that both amendments protect the same group of people but yet there are distinct and separate issues.

CHAIR LEDOUX, in response to Representative Lynn, stated that one amendment does not negate the other.

REPRESENTATIVE MILLETT removed her objection. There being no further objection, Amendment 7 was adopted.

2:30:01 PM

The committee took an at-ease from 2:30 to 2:35 p.m.

2:35:27 PM

REPRESENTATIVE LYNN moved to adopt Amendment 8, Version 29-LS0896/H.19, Martin/Gardner, 3/25/16, which read: [Amendment 8 provided at the end of the minutes of HB 205.]

CHAIR LEDOUX objected for purposes of discussion.

2:35:34 PM

REPRESENTATIVE LYNN said that this amendment is similar to Senator Lesil McGuire's amendment to the senate version of this bill. He noted that it is aimed at protecting sex workers, such as prostitutes who, in good faith, report to law enforcement any of the 1-21 types of violent crimes listed on the amendment. Thereby, preventing sex workers from being charged with certain types of misdemeanors, such as prostitution, as a result of making a good faith report. He pointed out it does not offer immunity for other crimes or from future acts of prostitution. He described the amendment as a common sense step toward getting actual and proper information to the police without unjustly charging the reporter of the crime.

2:36:26 PM

REPRESENTATIVE KELLER called attention to [AS 11.66.100(e)(1)(H)] subsection (H), page 1, line 14 of Amendment 8, which read:

(H) assault in the fourth degree under AS  
11.41.230;

REPRESENTATIVE KELLER asked whether the intent is to stop prosecution of prostitution when there is a report of sexual assault in the fourth degree. He read the definition, "by words or other conduct that person recklessly places another person in fear of imminent physical injury," which appears to be an easy thing to report. He added that he likes the amendment but subsection (H) offers the possibility of becoming a tool.

REPRESENTATIVE LYNN asked for assistance with regard to the definition and asked whether a person saying "BOO" to a prostitute "would cause them not to prosecute him?"

REPRESENTATIVE KELLER related that that was the question he was asking Representative Lynn.

[2:38:15 PM](#)

REPRESENTATIVE CLAMAN opined that the intent is to provide a degree of safety to sex workers who feel they have been assaulted and do not report the assault for fear of arrest for prostitution. He pointed out that there is substantial evidence about physical and sexual abuse that occurs to sex workers, and [the definition] of fourth degree assault is putting someone in fear and not actually injuring them. He offered that he has read reports of people who are never physically injured but are threatened by pimps, and others trying to control the prostitutes, by actually placing them in fear. He added that this is a significant area in which the state is trying to provide protection to sex workers because pimps can tell prostitutes the pimp will never be arrested because the prostitute has no injuries, and the prostitute will be arrested because the police will not believe her.

REPRESENTATIVE LYNN said that in addition to Representative Claman's testimony, offered scenarios of, "Johns" showing the prostitute pictures of child pornography or someone bringing an 11 or 12-year old girl into the room and, rather than the "John" being arrested, if the prostitute reports those activities in good faith, the prostitute could be arrested. The seriousness must be examined of what goes in some of these situations, and the state needs to protect the general public and sometimes in order to make that happen the reporter must be protected, he stressed.

[2:40:45 PM](#)

REPRESENTATIVE CLAMAN agreed, and he also stressed that this amendment does not legalize prostitution. He reminded the committee that as a general concept, prostitutes usually are not anxious to visit their local law enforcement office.

[2:41:25 PM](#)

REPRESENTATIVE KELLER moved to adopt Amendment 1 to Amendment 8, such that the language on Amendment 8, page 1, line 14, would

read, "(H) assault in the fourth degree under AS 11.41.230(a)(1) and (a)(2)." He expressed concern that a door is being opened for an abuse as to what is intended, and suggested solving the problem by deleting [AS 11.41.230(a)(3)], which read: "(3) by words or other conduct that person recklessly places another person in fear of imminent physical injury."

CHAIR LEDOUX objected for purposes of discussion.

[2:42:33 PM](#)

REPRESENTATIVE LYNN asked Representative Keller to explain what he is attempting to remove.

REPRESENTATIVE KELLER related that he foresees a situation with prostitution wherein it becomes the norm or the excuse is "somebody said BOO," and; therefore, there is no consequence for prostitution. He asked whether "this legalizes what it means in there for legalizing prostitution." He opined that his question should be on the table even if the committee decides to proceed with it.

REPRESENTATIVE CLAMAN asked for clarification that "it would basically take assault in the fourth degree out of the crimes that were -- in which there is an exemption."

REPRESENTATIVE KELLER stated, "negative" and clarified that under proposed Amendment 1 to Amendment 8, [the following would be excluded from the proposed new Section 32]: (3) by words or other conduct that person recklessly places another person in fear of imminent physical injury.

REPRESENTATIVE CLAMAN surmised that a person couldn't get it for a fear assault, but the person could get it for a physical assault.

REPRESENTATIVE KELLER replied, right.

[2:44:20 PM](#)

A roll call vote was taken. Representative Keller voted in favor of Amendment 1 to Amendment 18. Representatives Lynn, Claman, Kreiss-Tomkins, LeDoux voted against it. Therefore, Amendment 1 to Amendment 8 failed by a vote of 1-4.

[2:45:18 PM](#)

CHAIR LEDOUX removed her objection to Amendment 8. There being no further objection, Amendment 8 was adopted.

[2:45:38 PM](#)

REPRESENTATIVE KREISS-TOMKINS, on behalf of Representative Millett [who was presently out of the committee room], moved to adopt Amendment 9, labeled 29-LS0896\H.26, Martin/Gardner, 3/29/16, which read as follows: [Amendment 9 is provided at the end of the minutes of HB 205.]

[2:45:47 PM](#)

The committee took an at-ease from 2:45 to 2:47 p.m.

[2:46:56 PM](#)

CHAIR LEDOUX asked Representative Kreiss-Tomkins to withdraw his motion to adopt Amendment 9 to allow Representative Millett to offer a subsequent amendment, which Chair LeDoux announced would be called Conceptual Amendment 9.

REPRESENTATIVE KREISS-TOMKINS withdrew his motion to adopt Amendment 9.

[2:47:25 PM](#)

REPRESENTATIVE MILLETT moved to adopt Conceptual Amendment 9. [Conceptual Amendment 9 read the same as the withdrawn Amendment 9 - text provided at the end of the minutes of HB 205 - with one handwritten/typed change, as follows]: On page 1, beginning on line 11, [as numbered on Conceptual Amendment 9], following "officer", the words, "of violations of conditions of bail release or probation." would be replaced with, "if the person is discharged from the program."

CHAIR LEDOUX objected for purposes of discussion.

[2:47:32 PM](#)

REPRESENTATIVE MILLETT advised that Ms. Abbott will explain the intent of Conceptual Amendment 9, while Mr. Steiner will speak to the reason for the conceptual change on page 1, lines 11-12, [as numbered on the amendment].

MS. ABBOTT stated that the intent of Conceptual Amendment 9 is to set standards for treatment programs that can be used toward

credit of an individual's sentence of imprisonment. She [drew attention to a proposed new bill Section 62, which, under Conceptual Amendment 9, would be inserted on page 36, following line 14, of HB 205], and she noted it addresses criminogenic traits or behaviors, provides measures of progress or completion, and requires notification to the court or probation officer "if the person is discharged from the program." These standards would help the courts as well as the Department of Corrections potentially expand but also limit the treatment programs that someone could use as credit toward their term of imprisonment. It allows the legislature and public to know and understand the treatment programs people are using toward credit for their time in prison, and that they are of the quality the state [expects] and are meeting certain standards.

[2:49:28 PM](#)

CHAIR LEDOUX referred to page 1, lines 11-12 of Amendment 8, which read:

(3) required notification to the court or probation officer if the person is discharged from the program.

CHAIR LEDOUX asked whether "discharged" meant the person is kicked out of the program or has successfully completed the program.

MS. ABBOTT replied that it would be if the person is kicked out of the program, if for some reason they have not met the goals or obligations, or do not successfully complete the program. She said she supposed it could apply to people who have completed the amount of time allotted but don't meet the goals, objectives, standards, or they challenge the rules.

CHAIR LEDOUX surmised that it means "flunked the program" for one reason or another.

MS. ABBOTT answered flunked or asked to leave.

CHAIR LEDOUX offered that she like it conceptually but was unsure about the language.

[2:50:47 PM](#)

QUINLAN STEINER, Director, Central Office, Public Defender Agency (PDA), Department of Administration (DOA), noted that in

reviewing the original draft in withdrawn Amendment 9 [the language changed under Conceptual Amendment 9] required that the program report someone for any bail violation and often the bail term will be to comply with the requirements of the treatment program. Therefore, any little rule violation might then constitute a bail violation for which a person would not receive credit and it is fairly common to have little rule violations that are corrected as part of the program. In the event the violations pile up to where someone is in non-compliance then they will be discharged from the program. He added, "Just in reading it, I thought that was more of what was targeted by this amendment so I suggested the change in language, and I think this would accomplish that."

CHAIR LEDOUX related that where the amendment is trying to go makes a lot of sense. Although, she said, she did not legitimately know whether "discharged" meant the program had been completed or the person had flunked it. She then indicated that she believes Representative Claman will come up with a word.

[2:52:08 PM](#)

REPRESENTATIVE CLAMAN noted that he does not have a word in mind, but offered his understanding that "the language that is in the Amendment 9 is the exact language that was introduced and approved in the Senate ... in the other body." He opined that the balance they are trying to strike is that when someone is in a treatment program for criminogenic traits and needs the treatment, the concern from the public safety perspective is that if the only triggering event to contact the court or probation office is that the person is discharged, then it leaves too much discretion to the program. Thereby, it runs the risk that the courts will no longer approve the probation release because some courts will actually want more notification than just discharge. He expressed that he has real concerns with Conceptual Amendment 9.

[2:53:24 PM](#)

REPRESENTATIVE MILLETT suggested using "non-compliant" rather than "discharged" and the language would read that the person is non-compliant in the program.

MR. STEINER advised that the suggestion of using language like "discharged as non-compliant" would be appropriate. He referred to the language "violation of conditions of bail release or

probation" [which would be deleted under Conceptual Amendment 9], commented that there may also be other conditions of bail unrelated to the program itself, and if that were a condition "that they sort of essentially act as the pretrial bail officer or supervising officer," the program is not going to accept people for credit under those circumstances. He added, "I think a substantial number of programs wouldn't, and that would, I think, again, further undermine the intent of the amendment."

CHAIR LEDOUX related that she understands "discharged as non-compliant" because a person can be discharged from the Army or prison. She then asked Representative Claman whether that would solve his concerns.

REPRESENTATIVE CLAMAN offered his understanding that Christy Willer, a representative from one of these programs was available, and indicated that he would like to hear from her. He queried Ms. Willer as to whether she had received a copy of Conceptual Amendment 9, and was willing to address the changes proposed under it.

[2:55:42 PM](#)

CHRISTY WILLER, Chief Operating Officer, Cook Inlet Tribal Council, questioned whether a change to the language would require "a conference." In response to Representative Claman, she indicated that it would helpful [to view the language before making comments].

[2:56:04 PM](#)

The committee took an at-ease from 2:56 to 2:58 p.m.

[2:58:06 PM](#)

CHAIR LEDOUX advised that the committee would take up the discussion of Conceptual Amendment 9 at its next meeting. [The motion to adopt Conceptual Amendment 9, with an objection by Chair LeDoux, was left pending.]

[HB 205 was held over.]

#### **AMENDMENTS**

The following Amendments 1, 2, 7, 8, 9, to HB 205 were either discussed or adopted during the hearing. [Shorter amendments are provided within the main text only.]

**AMENDMENT 1** [29-LS0896\H.20, Martin/Gardner, 3/29/16]

Page 36, lines 1 - 14:  
Delete all material.

Renumber the following bill sections accordingly.

Page 97, line 29:  
Delete "sec. 66"  
Insert "sec. 65"

Page 98, line 1:  
Delete "sec. 66"  
Insert "sec. 65"

Page 98, line 2:  
Delete "sec. 67"  
Insert "sec. 66"

Page 98, line 5:F  
Delete "sec. 81"  
Insert "sec. 80"

Page 98, line 8:  
Delete "sec. 99"  
Insert "sec. 98"

Page 99, line 11:  
Delete "sec. 86"  
Insert "sec. 85"

Page 99, line 12:  
Delete "sec. 87"  
Insert "sec. 86"

Page 99, line 13:  
Delete "sec. 93"  
Insert "sec. 92"

Page 99, line 14:  
Delete "sec. 94"  
Insert "sec. 93"

Page 99, line 15:  
Delete "sec. 95"  
Insert "sec. 94"

Page 99, line 16:  
Delete "sec. 148"  
Insert "sec. 147"

Page 99, line 30:  
Delete all material.

Renumber the following paragraphs accordingly.

Page 99, line 31:  
Delete "sec. 76"  
Insert "sec. 75"

Page 100, line 1:  
Delete "sec. 77"  
Insert "sec. 76"

Page 100, line 2:  
Delete "sec. 78"  
Insert "sec. 77"

Page 100, line 3:  
Delete "sec. 79"  
Insert "sec. 78"

Page 100, line 4:  
Delete "sec. 80"  
Insert "sec. 79"

Page 100, line 5:  
Delete "sec. 81"  
Insert "sec. 80"

Page 100, line 6:  
Delete "sec. 134"  
Insert "sec. 133"

Page 100, line 7:  
Delete "sec. 135"  
Insert "sec. 134"

Page 100, line 12:  
Delete "sec. 75"  
Insert "sec. 74"

Page 100, line 13:

Delete "sec. 89"  
Insert "sec. 88"

Page 100, line 14:  
Delete "sec. 92"  
Insert "sec. 91"

Page 100, line 15:  
Delete "sec. 102"  
Insert "sec. 101"

Page 100, line 16:  
Delete "sec. 104"  
Insert "sec. 103"

Page 100, line 17:  
Delete "sec. 136"  
Insert "sec. 135"

Page 100, line 24:  
Delete "sec. 64"  
Insert "sec. 63"

Page 100, line 25:  
Delete "sec. 65"  
Insert "sec. 64"

Page 100, line 26:  
Delete "sec. 66"  
Insert "sec. 65"

Page 100, line 27:  
Delete "sec. 67"  
Insert "sec. 66"

Page 100, line 29:  
Delete "sec. 67"  
Insert "sec. 66"

Page 101, line 1:  
Delete "sec. 62"  
Insert "sec. 61"

Page 101, line 2:  
Delete "sec. 69"  
Insert "sec. 68"

Page 101, line 5:  
Delete "sec. 68"  
Insert "sec. 67"

Page 101, line 6:  
Delete "sec. 70"  
Insert "sec. 69"

Page 101, line 7:  
Delete "sec. 71"  
Insert "sec. 70"

Page 101, line 8:  
Delete "sec. 72"  
Insert "sec. 71"

Page 101, line 9:  
Delete "sec. 74"  
Insert "sec. 73"

Page 101, line 10:  
Delete "sec. 96"  
Insert "sec. 95"

Page 101, line 11:  
Delete "sec. 97"  
Insert "sec. 96"

Page 101, line 15:  
Delete "sec. 83"  
Insert "sec. 82"

Page 101, line 16:  
Delete "sec. 84"  
Insert "sec. 83"

Page 101, line 17:  
Delete "sec. 85"  
Insert "sec. 84"

Page 101, line 18:  
Delete "sec. 91"  
Insert "sec. 90"

Page 101, line 21:  
Delete "sec. 100"  
Insert "sec. 99"

Page 101, line 22:  
Delete "sec. 101"  
Insert "sec. 100"

Page 101, line 23:  
Delete "sec. 103"  
Insert "sec. 102"

Page 101, line 24:  
Delete "sec. 105"  
Insert "sec. 104"

Page 101, line 25:  
Delete "sec. 107"  
Insert "sec. 106"

Page 101, line 26:  
Delete "sec. 108"  
Insert "sec. 107"

Page 101, line 27:  
Delete "sec. 109"  
Insert "sec. 108"

Page 101, line 28:  
Delete "sec. 115"  
Insert "sec. 114"

Page 101, line 29:  
Delete "sec. 116"  
Insert "sec. 115"

Page 101, line 30:  
Delete "sec. 117"  
Insert "sec. 116"

Page 101, line 31:  
Delete "sec. 118"  
Insert "sec. 117"

Page 102, line 1:  
Delete "sec. 119"  
Insert "sec. 118"

Page 102, line 2:  
Delete "sec. 120"

Insert "sec. 119"

Page 102, line 3:  
Delete "sec. 121"  
Insert "sec. 120"

Page 102, line 4:  
Delete "sec. 122"  
Insert "sec. 121"

Page 102, line 5:  
Delete "sec. 123"  
Insert "sec. 122"

Page 102, line 6:  
Delete "sec. 124"  
Insert "sec. 123"

Page 102, line 7:  
Delete "sec. 125"  
Insert "sec. 124"

Page 102, line 8:  
Delete "sec. 126"  
Insert "sec. 125"

Page 102, line 9:  
Delete "sec. 127"  
Insert "sec. 126"

Page 102, line 10:  
Delete "sec. 128"  
Insert "sec. 127"

Page 102, line 11:  
Delete "sec. 129"  
Insert "sec. 128"

Page 102, line 12:  
Delete "sec. 130"  
Insert "sec. 129"

Page 102, line 13:  
Delete "sec. 131"  
Insert "sec. 130"

Page 102, line 14:

Delete "sec. 132"  
Insert "sec. 131"

Page 102, line 15:  
Delete "secs. 152 - 154"  
Insert "secs. 151 - 153"

Page 102, line 16:  
Delete "152 - 154"  
Insert "151 - 153"

Page 102, line 31:  
Delete "sec. 63"  
Insert "sec. 62"

Page 103, line 1:  
Delete "sec. 99"  
Insert "sec. 98"

Page 103, line 2:  
Delete "sec. 142"  
Insert "sec. 141"

Page 103, line 6:  
Delete "sec. 152"  
Insert "sec. 151"

Page 103, line 8:  
Delete "sec. 156(a)"  
Insert "sec. 155(a)"

Page 103, line 11:  
Delete "sec. 156(b)"  
Insert "sec. 155(b)"

Page 103, line 14:  
Delete "sec. 156(b)"  
Insert "sec. 155(b)"

Page 103, line 17:  
Delete "sec. 66"  
Insert "sec. 65"  
Delete "sec. 156(c)"  
Insert "sec. 155(c)"

Page 103, line 20:  
Delete "sec. 67"

Insert "sec. 66"  
Delete "sec. 156(d)"  
Insert "sec. 155(d)"

Page 103, line 23:

Delete "sec. 81"  
Insert "sec. 80"  
Delete "sec. 156(e)"  
Insert "sec. 155(e)"

Page 103, line 26:

Delete "sec. 99"  
Insert "sec. 98"  
Delete "sec. 156(f)"  
Insert "sec. 155(f)"

Page 103, lines 29 - 30:

Delete "62, 65, 67, 69, 73, 76 - 88, 91, 93 - 95,  
134, 135, 143 - 151, and 155"  
Insert "61, 64, 66, 68, 72, 75 - 87, 90, 92 - 94,  
133, 134, 142 - 150, and 154"

Page 103, line 31, through page 104, line 1:

Delete "66, 68, 70 - 72, 74, 75, 89, 90, 92, 96 -  
98, 100 - 133, and 136 - 140"  
Insert "65, 67, 69 - 71, 73, 74, 88, 89, 91, 95 -  
97, 99 - 132, and 135 - 139"

Page 104, line 2:

Delete "sec. 152"  
Insert "sec. 151"

Page 104, line 4:

Delete "63, 99, 142, 152 - 154, and 156(f)"  
Insert "62, 98, 141, 151 - 153, and 155(f)"

**AMENDMENT 2** [29-LS0896\H.14, Martin/Gardner, 3/25/16]

Page 96, following line 21:

Insert new bill sections to read:

**\* Sec. 152.** AS 47.38.100(a) is amended to read:

(a) The recidivism reduction program is established to promote the rehabilitation [THROUGH TRANSITIONAL RE-ENTRY PROGRAMS] of persons on probation or parole or incarcerated for offenses and recently released from correctional facilities.

**\* Sec. 153.** AS 47.38.100(b) is amended to read:

(b) The commissioner, in cooperation with the Alaska Criminal Justice Commission established in AS 44.19.641 [COMMISSIONER OF CORRECTIONS], may provide for programs that have, as a primary focus, rehabilitation and reduction of recidivism [THROUGH TRANSITIONAL RE-ENTRY] for persons on probation or parole or incarcerated for offenses and recently released from correctional facilities. The commissioner may enter into contracts to provide for programs under this section. An eligible [A] program under this section must accomplish at least one of the following objectives:

(1) increasing access to evidence-based rehabilitation programs, including drug and alcohol treatment, mental health treatment, and cognitive behavioral programs; or

(2) supporting offenders' transition and re-entry from correctional facilities to the community, including transitional housing services, employment services, vocational training, educational support, counseling, and medical care [INCLUDE CASE MANAGEMENT;

(2) REQUIRE SOBER LIVING;

(3) PROVIDE, ON-SITE OR BY REFERRAL, TREATMENT FOR SUBSTANCE ABUSE OR MENTAL HEALTH TREATMENT;

(4) REQUIRE EMPLOYMENT, EDUCATIONAL PROGRAMMING, VOCATIONAL TRAINING, OR COMMUNITY VOLUNTEER WORK AS APPROVED BY THE DIRECTOR OF THE TREATMENT PROGRAM; AND

(5) LIMIT RESIDENTIAL PLACEMENTS IN THE PROGRAM TO A MAXIMUM OF ONE YEAR].

\* **Sec. 154.** AS 47.38.100 is amended by adding a new subsection to read:

(d) In this section, "evidenced-based" means a program or practice that offers a high level of peer-reviewed data on effectiveness."

Renumber the following bill sections accordingly.

Page 98, following line 12:

Insert a new bill section to read:

"\* **Sec. 160.** The uncodified law of the State of Alaska is amended by adding a new section to read:

COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT.  
The Council on Domestic Violence and Sexual Assault established in AS 18.66.010 shall create or expand

community-based violence prevention programming and services for victims of a crime involving domestic violence or sexual assault in the fiscal year ending June 30, 2017. In this section "domestic violence" and "sexual assault" have the meanings given to those terms in AS 18.66.990."

Renumber the following bill sections accordingly.

Page 102, line 15:

Delete "secs. 152 - 154"

Insert "secs. 155 - 157"

Page 102, line 16:

Delete "152 - 154"

Insert "155 - 157"

Page 103, line 6:

Delete "sec. 152"

Insert "sec. 155"

Page 103, line 8:

Delete "sec. 156(a)"

Insert "sec. 159(a)"

Page 103, line 11:

Delete "sec. 156(b)"

Insert "sec. 159(b)"

Page 103, line 14:

Delete "sec. 156(b)"

Insert "sec. 159(b)"

Page 103, line 17:

Delete "sec. 156(c)"

Insert "sec. 159(c)"

Page 103, line 20:

Delete "sec. 156(d)"

Insert "sec. 159(d)"

Page 103, line 23:

Delete "sec. 156(e)"

Insert "sec. 159(e)"

Page 103, line 26:

Delete "sec. 156(f)"

Insert "sec. 159(f)"

Page 103, lines 29 - 30:

Delete "155"

Insert "158"

Page 104, line 2:

Delete "sec. 152"

Insert "sec. 155"

Page 104, line 4:

Delete "152 - 154, and 156(f)"

Insert "155 - 157, and 159(f)"

**AMENDMENT 7** [29-LS0896\H.34, Martin/Gardner, 3/30/16]

Page 14, following line 20:

Insert new bill sections to read:

"\* **Sec. 32.** AS 11.66.110(a) is amended to read:

(a) A person commits the crime of sex trafficking in the first degree if the person

(1) induces or causes another [A] person to engage in prostitution through the use of force;

(2) as other than a patron of a prostitute, induces or causes another [A] person who is under 20 years of age to engage in prostitution; or

(3) induces or causes a person in that person's legal custody to engage in prostitution.

\* **Sec. 33.** AS 11.66.130(a) is amended to read:

(a) A person commits the crime of sex trafficking in the third degree if, with intent to promote prostitution, the person

(1) manages, supervises, controls, or owns, either alone or in association with others, a place of prostitution;

(2) as other than a patron of a prostitute, induces or causes another [A] person who is 20 years of age or older to engage in prostitution;

(3) as other than a prostitute receiving compensation for personally rendered prostitution services, receives or agrees to receive money or other property under an agreement or understanding that the money or other property is derived from prostitution; or

(4) engages in conduct that institutes, aids, or facilitates a prostitution enterprise.

**\* Sec. 34.** AS 11.66.130 is amended by adding a new subsection to read:

(c) A person does not act with the intent to promote prostitution under (a) of this section if the person

(1) engages in prostitution in violation of AS 11.66.100(a) in a location even if that location is shared with another person; and

(2) has not induced or caused another person in that location to engage in prostitution.

**\* Sec. 35.** AS 11.66.135 is amended by adding a new subsection to read:

(c) A person does not institute, aid, or facilitate prostitution if the person

(1) engages in prostitution in violation of AS 11.66.100(a) in a location even if that location is shared with another person; and

(2) has not induced or caused another person in that location to engage in prostitution."

Renumber the following bill sections accordingly.

Page 97, line 18:

Delete "sec. 50"

Insert "sec. 54"

Page 97, line 22:

Delete "sec. 51"

Insert "sec. 55"

Page 97, line 23:

Delete "sec. 52"

Insert "sec. 56"

Page 97, line 29:

Delete "sec. 66"

Insert "sec. 70"

Page 98, line 1:

Delete "sec. 66"

Insert "sec. 70"

Page 98, line 2:

Delete "sec. 67"

Insert "sec. 71"

Page 98, line 5:

Delete "sec. 81"  
Insert "sec. 85"

Page 98, line 8:  
Delete "sec. 99"  
Insert "sec. 103"

Page 99, line 6:  
Delete "sec. 32"  
Insert "sec. 36"

Page 99, line 7:  
Delete "sec. 33"  
Insert "sec. 37"

Page 99, line 8:  
Delete "sec. 36"  
Insert "sec. 40"

Page 99, line 9:  
Delete "sec. 38"  
Insert "sec. 42"

Page 99, line 10:  
Delete "sec. 40"  
Insert "sec. 44"

Page 99, line 11:  
Delete "sec. 86"  
Insert "sec. 90"

Page 99, line 12:  
Delete "sec. 87"  
Insert "sec. 91"

Page 99, line 13:  
Delete "sec. 93"  
Insert "sec. 97"

Page 99, line 14:  
Delete "sec. 94"  
Insert "sec. 98"

Page 99, line 15:  
Delete "sec. 95"  
Insert "sec. 99"

Page 99, line 16:  
Delete "sec. 148"  
Insert "sec. 152"

Page 99, following line 24:  
Insert "(1) AS 11.66.110(a), as amended by sec.  
32 of this Act;  
(2) AS 11.66.130(a), as amended by sec. 33  
of this Act;  
(3) AS 11.66.130(c), as amended by sec. 34  
of this Act;  
(4) AS 11.66.135(c), as amended by sec. 35  
of this Act;"

Renumber the following paragraphs accordingly.

Page 99, line 25:  
Delete "sec. 41"  
Insert "sec. 45"

Page 99, line 26:  
Delete "sec. 42"  
Insert "sec. 46"

Page 99, line 27:  
Delete "sec. 44"  
Insert "sec. 48"

Page 99, line 30:  
Delete "sec. 61"  
Insert "sec. 65"

Page 99, line 31:  
Delete "sec. 76"  
Insert "sec. 80"

Page 100, line 1:  
Delete "sec. 77"  
Insert "sec. 81"

Page 100, line 2:  
Delete "sec. 78"  
Insert "sec. 82"

Page 100, line 3:  
Delete "sec. 79"  
Insert "sec. 83"

Page 100, line 4:  
Delete "sec. 80"  
Insert "sec. 84"

Page 100, line 5:  
Delete "sec. 81"  
Insert "sec. 85"

Page 100, line 6:  
Delete "sec. 134"  
Insert "sec. 138"

Page 100, line 7:  
Delete "sec. 135"  
Insert "sec. 139"

Page 100, line 10:  
Delete "sec. 59"  
Insert "sec. 63"

Page 100, line 11:  
Delete "sec. 60"  
Insert "sec. 64"

Page 100, line 12:  
Delete "sec. 75"  
Insert "sec. 79"

Page 100, line 13:  
Delete "sec. 89"  
Insert "sec. 93"

Page 100, line 14:  
Delete "sec. 92"  
Insert "sec. 96"

Page 100, line 15:  
Delete "sec. 102"  
Insert "sec. 106"

Page 100, line 16:  
Delete "sec. 104"  
Insert "sec. 108"

Page 100, line 17:  
Delete "sec. 136"

Insert "sec. 140"

Page 100, line 18:  
Delete "sec. 58"  
Insert "sec. 62"

Page 100, line 20:  
Delete "sec. 58"  
Insert "sec. 62"

Page 100, line 24:  
Delete "sec. 64"  
Insert "sec. 68"

Page 100, line 25:  
Delete "sec. 65"  
Insert "sec. 69"

Page 100, line 26:  
Delete "sec. 66"  
Insert "sec. 70"

Page 100, line 27:  
Delete "sec. 67"  
Insert "sec. 71"

Page 100, line 29:  
Delete "sec. 67"  
Insert "sec. 71"

Page 101, line 1:  
Delete "sec. 62"  
Insert "sec. 66"

Page 101, line 2:  
Delete "sec. 69"  
Insert "sec. 73"

Page 101, line 5:  
Delete "sec. 68"  
Insert "sec. 72"

Page 101, line 6:  
Delete "sec. 70"  
Insert "sec. 74"

Page 101, line 7:

Delete "sec. 71"  
Insert "sec. 75"

Page 101, line 8:  
Delete "sec. 72"  
Insert "sec. 76"

Page 101, line 9:  
Delete "sec. 74"  
Insert "sec. 78"

Page 101, line 10:  
Delete "sec. 96"  
Insert "sec. 100"

Page 101, line 11:  
Delete "sec. 97"  
Insert "sec. 101"

Page 101, line 15:  
Delete "sec. 83"  
Insert "sec. 87"

Page 101, line 16:  
Delete "sec. 84"  
Insert "sec. 88"

Page 101, line 17:  
Delete "sec. 85"  
Insert "sec. 89"

Page 101, line 18:  
Delete "sec. 91"  
Insert "sec. 95"

Page 101, line 21:  
Delete "sec. 100"  
Insert "sec. 104"

Page 101, line 22:  
Delete "sec. 101"  
Insert "sec. 105"

Page 101, line 23:  
Delete "sec. 103"  
Insert "sec. 107"

Page 101, line 24:  
Delete "sec. 105"  
Insert "sec. 109"

Page 101, line 25:  
Delete "sec. 107"  
Insert "sec. 111"

Page 101, line 26:  
Delete "sec. 108"  
Insert "sec. 112"

Page 101, line 27:  
Delete "sec. 109"  
Insert "sec. 113"

Page 101, line 28:  
Delete "sec. 115"  
Insert "sec. 119"

Page 101, line 29:  
Delete "sec. 116"  
Insert "sec. 120"

Page 101, line 30:  
Delete "sec. 117"  
Insert "sec. 121"

Page 101, line 31:  
Delete "sec. 118"  
Insert "sec. 122"

Page 102, line 1:  
Delete "sec. 119"  
Insert "sec. 123"

Page 102, line 2:  
Delete "sec. 120"  
Insert "sec. 124"

Page 102, line 3:  
Delete "sec. 121"  
Insert "sec. 125"

Page 102, line 4:  
Delete "sec. 122"  
Insert "sec. 126"

Page 102, line 5:  
Delete "sec. 123"  
Insert "sec. 127"

Page 102, line 6:  
Delete "sec. 124"  
Insert "sec. 128"

Page 102, line 7:  
Delete "sec. 125"  
Insert "sec. 129"

Page 102, line 8:  
Delete "sec. 126"  
Insert "sec. 130"

Page 102, line 9:  
Delete "sec. 127"  
Insert "sec. 131"

Page 102, line 10:  
Delete "sec. 128"  
Insert "sec. 132"

Page 102, line 11:  
Delete "sec. 129"  
Insert "sec. 133"

Page 102, line 12:  
Delete "sec. 130"  
Insert "sec. 134"

Page 102, line 13:  
Delete "sec. 131"  
Insert "sec. 135"

Page 102, line 14:  
Delete "sec. 132"  
Insert "sec. 136"

Page 102, line 15:  
Delete "secs. 152 - 154"  
Insert "secs. 156 - 158"

Page 102, line 16:  
Delete "152 - 154"

Insert "156 - 158"

Page 102, line 20:  
Delete "sec. 46"  
Insert "sec. 50"

Page 102, line 21:  
Delete "sec. 47"  
Insert "sec. 51"

Page 102, line 22:  
Delete "sec. 48"  
Insert "sec. 52"

Page 102, line 23:  
Delete "sec. 49"  
Insert "sec. 53"

Page 102, line 24:  
Delete "sec. 50"  
Insert "sec. 54"

Page 102, line 25:  
Delete "sec. 51"  
Insert "sec. 55"

Page 102, line 26:  
Delete "sec. 52"  
Insert "sec. 56"

Page 102, line 27:  
Delete "sec. 53"  
Insert "sec. 57"

Page 102, line 28:  
Delete "sec. 54"  
Insert "sec. 58"

Page 102, line 29:  
Delete "sec. 56"  
Insert "sec. 60"

Page 102, line 30:  
Delete "sec. 57"  
Insert "sec. 61"

Page 102, line 31:

Delete "sec. 63"  
Insert "sec. 67"

Page 103, line 1:  
Delete "sec. 99"  
Insert "sec. 103"

Page 103, line 2:  
Delete "sec. 142"  
Insert "sec. 146"

Page 103, line 6:  
Delete "sec. 152"  
Insert "sec. 156"

Page 103, line 8:  
Delete "sec. 50"  
Insert "sec. 54"  
Delete "sec. 156(a)"  
Insert "sec. 160(a)"

Page 103, line 11:  
Delete "sec. 51"  
Insert "sec. 55"  
Delete "sec. 156(b)"  
Insert "sec. 160(b)"

Page 103, line 14:  
Delete "sec. 52"  
Insert "sec. 56"  
Delete "sec. 156(b)"  
Insert "sec. 160(b)"

Page 103, line 17:  
Delete "sec. 66"  
Insert "sec. 70"  
Delete "sec. 156(c)"  
Insert "sec. 160(c)"

Page 103, line 20:  
Delete "sec. 67"  
Insert "sec. 71"  
Delete "sec. 156(d)"  
Insert "sec. 160(d)"

Page 103, line 23:  
Delete "sec. 81"

Insert "sec. 85"  
Delete "sec. 156(e)"  
Insert "sec. 160(e)"

Page 103, line 26:

Delete "sec. 99"  
Insert "sec. 103"  
Delete "sec. 156(f)"  
Insert "sec. 160(f)"

Page 103, lines 29 - 30:

Delete "28 - 40, 61, 62, 65, 67, 69, 73, 76 - 88,  
91, 93 - 95, 134, 135, 143 - 151, and 155"  
Insert "28 - 44, 65, 66, 69, 71, 73, 77, 80 - 92,  
95, 97 - 99, 138, 139, 147 - 155, and 159"

Page 103, line 31, through page 104, line 1:

Delete "Sections 58 - 60, 66, 68, 70 - 72, 74,  
75, 89, 90, 92, 96 - 98, 100 - 133, and 136 - 140"  
Insert "Sections 62 - 64, 70, 72, 74 - 76, 78,  
79, 93, 94, 96, 100 - 102, 104 - 137, and 140 - 144"

Page 104, line 2:

Delete "sec. 152"  
Insert "sec. 156"

Page 104, line 4:

Delete "41 - 57, 63, 99, 142, 152 - 154, and  
156(f)"  
Insert "45 - 61, 67, 103, 146, 156 - 158, and  
160(f)"

**AMENDMENT 8** [29-LS0896\H.19, Martin/Gardner, 3/25/16]

Page 14, following line 20:

Insert a new bill section to read:

"\* **Sec. 32.** AS 11.66.100 is amended by adding a new subsection to read:

(e) A person may not be prosecuted under (a)(1) of this section if the

(1) person witnessed or was a victim of, and reported to law enforcement in good faith, one or more of the following crimes:

(A) murder in the first degree under AS 11.41.100;

(B) murder in the second degree under AS 11.41.110;

(C) manslaughter under AS 11.41.120;  
(D) criminally negligent homicide under AS 11.41.130;  
(E) assault in the first degree under AS 11.41.200;  
(F) assault in the second degree under AS 11.41.210;  
(G) assault in the third degree under AS 11.41.220;  
(H) assault in the fourth degree under AS 11.41.230;  
(I) sexual assault in the first degree under AS 11.41.410;  
(J) sexual assault in the second degree under AS 11.41.420;  
(K) sexual assault in the third degree under AS 11.41.425;  
(L) sexual assault in the fourth degree under AS 11.41.427;  
(M) sexual abuse of a minor in the first degree under AS 11.41.434;  
(N) sexual abuse of a minor in the second degree under AS 11.41.436;  
(O) sexual abuse of a minor in the third degree under AS 11.41.438;  
(P) sexual abuse of a minor in the fourth degree under AS 11.41.440;  
(Q) robbery in the first degree under AS 11.41.500;  
(R) robbery in the second degree under AS 11.41.510;  
(S) extortion under AS 11.41.520;  
(T) coercion under AS 11.41.530;  
(U) distribution of child pornography under AS 11.61.125;  
(V) possession of child pornography under AS 11.61.127;  
(W) sex trafficking in the first degree under AS 11.66.110;  
(X) sex trafficking in the second degree under AS 11.66.120;  
(Y) sex trafficking in the third degree under AS 11.66.130; or  
(Z) sex trafficking in the fourth degree under AS 11.66.135;  
(2) evidence supporting the prosecution under (a)(1) of this section was obtained or

discovered as a result of the person reporting the crime to law enforcement; and

(3) person cooperated with law enforcement personnel."

Page 97, line 18:  
Delete "sec. 50"  
Insert "sec. 51"

Page 97, line 22:  
Delete "sec. 51"  
Insert "sec. 52"

Page 97, line 23:  
Delete "sec. 52"  
Insert "sec. 53"

Page 97, line 29:  
Delete "sec. 66"  
Insert "sec. 67"

Page 98, line 1:  
Delete "sec. 66"  
Insert "sec. 67"

Page 98, line 2:  
Delete "sec. 67"  
Insert "sec. 68"

Page 98, line 5:  
Delete "sec. 81"  
Insert "sec. 82"

Page 98, line 8:  
Delete "sec. 99"  
Insert "sec. 100"

Page 99, line 6:  
Delete "sec. 32"  
Insert "sec. 33"

Page 99, line 7:  
Delete "sec. 33"  
Insert "sec. 34"

Page 99, line 8:  
Delete "sec. 36"

Insert "sec. 37"

Page 99, line 9:  
Delete "sec. 38"  
Insert "sec. 39"

Page 99, line 10:  
Delete "sec. 40"  
Insert "sec. 41"

Page 99, line 11:  
Delete "sec. 86"  
Insert "sec. 87"

Page 99, line 12:  
Delete "sec. 87"  
Insert "sec. 88"

Page 99, line 13:  
Delete "sec. 93"  
Insert "sec. 94"

Page 99, line 14:  
Delete "sec. 94"  
Insert "sec. 95"

Page 99, line 15:  
Delete "sec. 95"  
Insert "sec. 96"

Page 99, line 16:  
Delete "sec. 148"  
Insert "sec. 149"

Page 99, line 25:  
Delete "sec. 41"  
Insert "sec. 42"

Page 99, line 26:  
Delete "sec. 42"  
Insert "sec. 43"

Page 99, line 27:  
Delete "sec. 44"  
Insert "sec. 45"

Page 99, line 30:

Delete "sec. 61"  
Insert "sec. 62"

Page 99, line 31:  
Delete "sec. 76"  
Insert "sec. 77"

Page 100, line 1:  
Delete "sec. 77"  
Insert "sec. 78"

Page 100, line 2:  
Delete "sec. 78"  
Insert "sec. 79"

Page 100, line 3:  
Delete "sec. 79"  
Insert "sec. 80"

Page 100, line 4:  
Delete "sec. 80"  
Insert "sec. 81"

Page 100, line 5:  
Delete "sec. 81"  
Insert "sec. 82"

Page 100, line 6:  
Delete "sec. 134"  
Insert "sec. 135"

Page 100, line 7:  
Delete "sec. 135"  
Insert "sec. 136"

Page 100, line 10:  
Delete "sec. 59"  
Insert "sec. 60"

Page 100, line 11:  
Delete "sec. 60"  
Insert "sec. 61"

Page 100, line 12:  
Delete "sec. 75"  
Insert "sec. 76"

Page 100, line 13:  
Delete "sec. 89"  
Insert "sec. 90"

Page 100, line 14:  
Delete "sec. 92"  
Insert "sec. 93"

Page 100, line 15:  
Delete "sec. 102"  
Insert "sec. 103"

Page 100, line 16:  
Delete "sec. 104"  
Insert "sec. 105"

Page 100, line 17:  
Delete "sec. 136"  
Insert "sec. 137"

Page 100, line 18:  
Delete "sec. 58"  
Insert "sec. 59"

Page 100, line 20:  
Delete "sec. 58"  
Insert "sec. 59"

Page 100, line 24:  
Delete "sec. 64"  
Insert "sec. 65"

Page 100, line 25:  
Delete "sec. 65"  
Insert "sec. 66"

Page 100, line 26:  
Delete "sec. 66"  
Insert "sec. 67"

Page 100, line 27:  
Delete "sec. 67"  
Insert "sec. 68"

Page 100, line 29:  
Delete "sec. 67"  
Insert "sec. 68"

Page 101, line 1:  
Delete "sec. 62"  
Insert "sec. 63"

Page 101, line 2:  
Delete "sec. 69"  
Insert "sec. 70"

Page 101, line 5:  
Delete "sec. 68"  
Insert "sec. 69"

Page 101, line 6:  
Delete "sec. 70"  
Insert "sec. 71"

Page 101, line 7:  
Delete "sec. 71"  
Insert "sec. 72"

Page 101, line 8:  
Delete "sec. 72"  
Insert "sec. 73"

Page 101, line 9:  
Delete "sec. 74"  
Insert "sec. 75"

Page 101, line 10:  
Delete "sec. 96"  
Insert "sec. 97"

Page 101, line 11:  
Delete "sec. 97"  
Insert "sec. 98"

Page 101, line 15:  
Delete "sec. 83"  
Insert "sec. 84"

Page 101, line 16:  
Delete "sec. 84"  
Insert "sec. 85"

Page 101, line 17:  
Delete "sec. 85"

Insert "sec. 86"

Page 101, line 18:  
Delete "sec. 91"  
Insert "sec. 92"

Page 101, line 21:  
Delete "sec. 100"  
Insert "sec. 101"

Page 101, line 22:  
Delete "sec. 101"  
Insert "sec. 102"

Page 101, line 23:  
Delete "sec. 103"  
Insert "sec. 104"

Page 101, line 24:  
Delete "sec. 105"  
Insert "sec. 106"

Page 101, line 25:  
Delete "sec. 107"  
Insert "sec. 108"

Page 101, line 26:  
Delete "sec. 108"  
Insert "sec. 109"

Page 101, line 27:  
Delete "sec. 109"  
Insert "sec. 110"

Page 101, line 28:  
Delete "sec. 115"  
Insert "sec. 116"

Page 101, line 29:  
Delete "sec. 116"  
Insert "sec. 117"

Page 101, line 30:  
Delete "sec. 117"  
Insert "sec. 118"

Page 101, line 31:

Delete "sec. 118"  
Insert "sec. 119"

Page 102, line 1:  
Delete "sec. 119"  
Insert "sec. 120"

Page 102, line 2:  
Delete "sec. 120"  
Insert "sec. 121"

Page 102, line 3:  
Delete "sec. 121"  
Insert "sec. 122"

Page 102, line 4:  
Delete "sec. 122"  
Insert "sec. 123"

Page 102, line 5:  
Delete "sec. 123"  
Insert "sec. 124"

Page 102, line 6:  
Delete "sec. 124"  
Insert "sec. 125"

Page 102, line 7:  
Delete "sec. 125"  
Insert "sec. 126"

Page 102, line 8:  
Delete "sec. 126"  
Insert "sec. 127"

Page 102, line 9:  
Delete "sec. 127"  
Insert "sec. 128"

Page 102, line 10:  
Delete "sec. 128"  
Insert "sec. 129"

Page 102, line 11:  
Delete "sec. 129"  
Insert "sec. 130"

Page 102, line 12:  
Delete "sec. 130"  
Insert "sec. 131"

Page 102, line 13:  
Delete "sec. 131"  
Insert "sec. 132"

Page 102, line 14:  
Delete "sec. 132"  
Insert "sec. 133"

Page 102, line 15:  
Delete "secs. 152 - 154"  
Insert "secs. 153 - 155"

Page 102, line 16:  
Delete "152 - 154"  
Insert "153 - 155"

Page 102, line 20:  
Delete "sec. 46"  
Insert "sec. 47"

Page 102, line 21:  
Delete "sec. 47"  
Insert "sec. 48"

Page 102, line 22:  
Delete "sec. 48"  
Insert "sec. 49"

Page 102, line 23:  
Delete "sec. 49"  
Insert "sec. 50"

Page 102, line 24:  
Delete "sec. 50"  
Insert "sec. 51"

Page 102, line 25:  
Delete "sec. 51"  
Insert "sec. 52"

Page 102, line 26:  
Delete "sec. 52"  
Insert "sec. 53"

Page 102, line 27:  
Delete "sec. 53"  
Insert "sec. 54"

Page 102, line 28:  
Delete "sec. 54"  
Insert "sec. 55"

Page 102, line 29:  
Delete "sec. 56"  
Insert "sec. 57"

Page 102, line 30:  
Delete "sec. 57"  
Insert "sec. 58"

Page 102, line 31:  
Delete "sec. 63"  
Insert "sec. 64"

Page 103, line 1:  
Delete "sec. 99"  
Insert "sec. 100"

Page 103, line 2:  
Delete "sec. 142"  
Insert "sec. 143"

Page 103, line 6:  
Delete "sec. 152"  
Insert "sec. 153"

Page 103, line 8:  
Delete "sec. 50"  
Insert "sec. 51"  
Delete "sec. 156(a)"  
Insert "sec. 157(a)"

Page 103, line 11:  
Delete "sec. 51"  
Insert "sec. 52"  
Delete "sec. 156(b)"  
Insert "sec. 157(b)"

Page 103, line 14:  
Delete "sec. 52"

Insert "sec. 53"  
Delete "sec. 156(b)"  
Insert "sec. 157(b)"

Page 103, line 17:

Delete "sec. 66"  
Insert "sec. 67"  
Delete "sec. 156(c)"  
Insert "sec. 157(c)"

Page 103, line 20:

Delete "sec. 67"  
Insert "sec. 68"  
Delete "sec. 156(d)"  
Insert "sec. 157(d)"

Page 103, line 23:

Delete "sec. 81"  
Insert "sec. 82"  
Delete "sec. 156(e)"  
Insert "sec. 157(e)"

Page 103, line 26:

Delete "sec. 99"  
Insert "sec. 100"  
Delete "sec. 156(f)"  
Insert "sec. 157(f)"

Page 103, lines 29 - 30:

Delete "28 - 40, 61, 62, 65, 67, 69, 73, 76 - 88,  
91, 93 - 95, 134, 135, 143 - 151, and 155"  
Insert "28 - 31, 33 - 41, 62, 63, 66, 68, 70, 74,  
77 - 89, 92, 94 - 96, 135, 136, 144 - 152, and 156"

Page 103, line 31, through page 104, line 1:

Delete "Sections 58 - 60, 66, 68, 70 - 72, 74,  
75, 89, 90, 92, 96 - 98, 100 - 133, and 136 - 140"  
Insert "Sections 59 - 61, 67, 69, 71 - 73, 75,  
76, 90, 91, 93, 97 - 99, 101 - 134, and 137 - 141"

Page 104, line 2:

Delete "sec. 152"  
Insert "sec. 153"

Page 104, line 4:

Delete "41 - 57, 63, 99, 142, 152 - 154, and  
156(f)"

Insert "42 - 58, 64, 100, 143, 153 - 155, and 157(f)"

**AMENDMENT 9** [26-LS0896\H.26, Martin/Gardner, 3/29/16]

Page 1, line 2, following "**sentencing;**":

Insert "**relating to treatment program credit for time spent toward service of a sentence of imprisonment;**"

Page 36, following line 14:

Insert a new bill section to read:

"\* **Sec. 62.** AS 12.55.027 is amended by adding a new subsection to read:

(f) To qualify as a treatment program under this section, a program must

(1) be intended to address criminogenic traits or behaviors;

(2) provide measures of progress or completion; and

(3) require notification to the court or probation officer of violations of conditions of bail release or probation."

Renumber the following bill sections accordingly.

Page 97, line 29:

Delete "sec. 66"

Insert "sec. 67"

Page 98, line 1:

Delete "sec. 66"

Insert "sec. 67"

Page 98, line 2:

Delete "sec. 67"

Insert "sec. 68"

Page 98, line 5:

Delete "sec. 81"

Insert "sec. 82"

Page 98, line 8:

Delete "sec. 99"

Insert "sec. 100"

Page 99, following line 10:  
Insert a new paragraph to read:  
    "(26) AS 12.55.027(f), enacted by sec. 62  
of this Act;"

Renumber the following paragraphs accordingly.

Page 99, line 11:  
    Delete "sec. 86"  
    Insert "sec. 87"

Page 99, line 12:  
    Delete "sec. 87"  
    Insert "sec. 88"

Page 99, line 13:  
    Delete "sec. 93"  
    Insert "sec. 94"

Page 99, line 14:  
    Delete "sec. 94"  
    Insert "sec. 95"

Page 99, line 15:  
    Delete "sec. 95"  
    Insert "sec. 96"

Page 99, line 16:  
    Delete "sec. 148"  
    Insert "sec. 149"

Page 99, line 31:  
    Delete "sec. 76"  
    Insert "sec. 77"

Page 100, line 1:  
    Delete "sec. 77"  
    Insert "sec. 78"

Page 100, line 2:  
    Delete "sec. 78"  
    Insert "sec. 79"

Page 100, line 3:  
    Delete "sec. 79"  
    Insert "sec. 80"

Page 100, line 4:  
Delete "sec. 80"  
Insert "sec. 81"

Page 100, line 5:  
Delete "sec. 81"  
Insert "sec. 82"

Page 100, line 6:  
Delete "sec. 134"  
Insert "sec. 135"

Page 100, line 7:  
Delete "sec. 135"  
Insert "sec. 136"

Page 100, line 12:  
Delete "sec. 75"  
Insert "sec. 76"

Page 100, line 13:  
Delete "sec. 89"  
Insert "sec. 90"

Page 100, line 14:  
Delete "sec. 92"  
Insert "sec. 93"

Page 100, line 15:  
Delete "sec. 102"  
Insert "sec. 103"

Page 100, line 16:  
Delete "sec. 104"  
Insert "sec. 105"

Page 100, line 17:  
Delete "sec. 136"  
Insert "sec. 137"

Page 100, line 24:  
Delete "sec. 64"  
Insert "sec. 65"

Page 100, line 25:  
Delete "sec. 65"

Insert "sec. 66"

Page 100, line 26:  
Delete "sec. 66"  
Insert "sec. 67"

Page 100, line 27:  
Delete "sec. 67"  
Insert "sec. 68"

Page 100, line 29:  
Delete "sec. 67"  
Insert "sec. 68"

Page 101, line 1:  
Delete "sec. 62"  
Insert "sec. 63"

Page 101, line 2:  
Delete "sec. 69"  
Insert "sec. 70"

Page 101, line 5:  
Delete "sec. 68"  
Insert "sec. 69"

Page 101, line 6:  
Delete "sec. 70"  
Insert "sec. 71"

Page 101, line 7:  
Delete "sec. 71"  
Insert "sec. 72"

Page 101, line 8:  
Delete "sec. 72"  
Insert "sec. 73"

Page 101, line 9:  
Delete "sec. 74"  
Insert "sec. 75"

Page 101, line 10:  
Delete "sec. 96"  
Insert "sec. 97"

Page 101, line 11:

Delete "sec. 97"  
Insert "sec. 98"

Page 101, line 15:  
Delete "sec. 83"  
Insert "sec. 84"

Page 101, line 16:  
Delete "sec. 84"  
Insert "sec. 85"

Page 101, line 17:  
Delete "sec. 85"  
Insert "sec. 86"

Page 101, line 18:  
Delete "sec. 91"  
Insert "sec. 92"

Page 101, line 21:  
Delete "sec. 100"  
Insert "sec. 101"

Page 101, line 22:  
Delete "sec. 101"  
Insert "sec. 102"

Page 101, line 23:  
Delete "sec. 103"  
Insert "sec. 104"

Page 101, line 24:  
Delete "sec. 105"  
Insert "sec. 106"

Page 101, line 25:  
Delete "sec. 107"  
Insert "sec. 108"

Page 101, line 26:  
Delete "sec. 108"  
Insert "sec. 109"

Page 101, line 27:  
Delete "sec. 109"  
Insert "sec. 110"

Page 101, line 28:  
Delete "sec. 115"  
Insert "sec. 116"

Page 101, line 29:  
Delete "sec. 116"  
Insert "sec. 117"

Page 101, line 30:  
Delete "sec. 117"  
Insert "sec. 118"

Page 101, line 31:  
Delete "sec. 118"  
Insert "sec. 119"

Page 102, line 1:  
Delete "sec. 119"  
Insert "sec. 120"

Page 102, line 2:  
Delete "sec. 120"  
Insert "sec. 121"

Page 102, line 3:  
Delete "sec. 121"  
Insert "sec. 122"

Page 102, line 4:  
Delete "sec. 122"  
Insert "sec. 123"

Page 102, line 5:  
Delete "sec. 123"  
Insert "sec. 124"

Page 102, line 6:  
Delete "sec. 124"  
Insert "sec. 125"

Page 102, line 7:  
Delete "sec. 125"  
Insert "sec. 126"

Page 102, line 8:  
Delete "sec. 126"  
Insert "sec. 127"

Page 102, line 9:  
Delete "sec. 127"  
Insert "sec. 128"

Page 102, line 10:  
Delete "sec. 128"  
Insert "sec. 129"

Page 102, line 11:  
Delete "sec. 129"  
Insert "sec. 130"

Page 102, line 12:  
Delete "sec. 130"  
Insert "sec. 131"

Page 102, line 13:  
Delete "sec. 131"  
Insert "sec. 132"

Page 102, line 14:  
Delete "sec. 132"  
Insert "sec. 133"

Page 102, line 15:  
Delete "secs. 152 - 154"  
Insert "secs. 153 - 155"

Page 102, line 16:  
Delete "152 - 154"  
Insert "153 - 155"

Page 102, line 31:  
Delete "sec. 63"  
Insert "sec. 64"

Page 103, line 1:  
Delete "sec. 99"  
Insert "sec. 100"

Page 103, line 2:  
Delete "sec. 142"  
Insert "sec. 143"

Page 103, line 6:  
Delete "sec. 152"

Insert "sec. 153"

Page 103, line 8:

Delete "sec. 156(a)"

Insert "sec. 157(a)"

Page 103, line 11:

Delete "sec. 156(b)"

Insert "sec. 157(b)"

Page 103, line 14:

Delete "sec. 156(b)"

Insert "sec. 157(b)"

Page 103, line 17:

Delete "sec. 66"

Insert "sec. 67"

Delete "sec. 156(c)"

Insert "sec. 157(c)"

Page 103, line 20:

Delete "sec. 67"

Insert "sec. 68"

Delete "sec. 156(d)"

Insert "sec. 157(d)"

Page 103, line 23:

Delete "sec. 81"

Insert "sec. 82"

Delete "sec. 156(e)"

Insert "sec. 157(e)"

Page 103, line 26:

Delete "sec. 99"

Insert "sec. 100"

Delete "sec. 156(f)"

Insert "sec. 157(f)"

Page 103, lines 29 - 30:

Delete "65, 67, 69, 73, 76 - 88, 91, 93 - 95,  
134, 135, 143 - 151, and 155"

Insert "63, 66, 68, 70, 74, 77 - 89, 92, 94 - 96,  
135, 136, 144 - 152, and 156"

Page 103, line 31, through page 104, line 1:

Delete "66, 68, 70 - 72, 74, 75, 89, 90, 92, 96 -  
98, 100 - 133, and 136 - 140"

Insert "67, 69, 71 - 73, 75, 76, 90, 91, 93, 97 - 99, 101 - 134, and 137 - 141"

Page 104, line 2:

Delete "sec. 152"

Insert "sec. 153"

Page 104, line 4:

Delete "63, 99, 142, 152 - 154, and 156(f)"

Insert "64, 100, 143, 153 - 155, and 157(f)"

[2:58:56 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:58 p.m.