

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

April 11, 2016

1:06 p.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Representative Charisse Millett
Representative Kurt Olson (alternate)

COMMITTEE CALENDAR

CS FOR SS 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."

- HEARD & HELD

CS FOR SENATE BILL NO. 24(JUD)

"An Act relating to the applicability of the Legislative Ethics Act to legislative interns, legislative volunteers, legislative consultants, legislative independent contractors, sole proprietorships, and other legal entities."

- MOVED CSSB 24(JUD) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 19

Proposing an amendment to the Constitution of the State of Alaska relating to the constitutional budget reserve fund.

- MOVED HJR 19 OUT OF COMMITTEE

HOUSE BILL NO. 200

"An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 91

SHORT TITLE: OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS

SPONSOR(S): SENATOR(S) COGHILL

03/25/15	(S)	READ THE FIRST TIME - REFERRALS
03/25/15	(S)	STA, JUD, FIN
04/02/15	(S)	STA AT 9:00 AM BUTROVICH 205
04/02/15	(S)	Heard & Held
04/02/15	(S)	MINUTE (STA)
02/03/16	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/03/16	(S)	STA, JUD, FIN
02/13/16	(S)	STA AT 10:00 AM BUTROVICH 205
02/13/16	(S)	Heard & Held
02/13/16	(S)	MINUTE (STA)
02/18/16	(S)	STA AT 8:30 AM BUTROVICH 205
02/18/16	(S)	Heard & Held
02/18/16	(S)	MINUTE (STA)
02/25/16	(S)	STA AT 9:00 AM BUTROVICH 205
02/25/16	(S)	Heard & Held
02/25/16	(S)	MINUTE (STA)
03/01/16	(S)	STA AT 8:30 AM BUTROVICH 205
03/01/16	(S)	Heard & Held
03/01/16	(S)	MINUTE (STA)
03/03/16	(S)	STA AT 8:30 AM BUTROVICH 205

03/03/16 (S) Heard & Held
 03/03/16 (S) MINUTE (STA)
 03/08/16 (S) STA AT 9:00 AM BUTROVICH 205
 03/08/16 (S) Moved CSSSSB 91(STA) Out of Committee
 03/08/16 (S) MINUTE (STA)
 03/08/16 (S) STA AT 5:00 PM BUTROVICH 205
 03/08/16 (S) -- MEETING CANCELED --
 03/09/16 (S) STA RPT CS 2DP 1DNP 1NR 1AM NEW TITLE
 03/09/16 (S) DP: COGHILL, MCGUIRE
 03/09/16 (S) DNP: STOLTZE
 03/09/16 (S) NR: HUGGINS
 03/09/16 (S) AM: WIELECHOWSKI
 03/09/16 (S) JUD WAIVED PUBLIC HEARING NOTICE, RULE
 23
 03/09/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 03/09/16 (S) Heard & Held
 03/09/16 (S) MINUTE (JUD)
 03/11/16 (S) JUD AT 2:00 PM BELTZ 105 (TSBldg)
 03/11/16 (S) Heard & Held
 03/11/16 (S) MINUTE (JUD)
 03/16/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 03/16/16 (S) Heard & Held
 03/16/16 (S) MINUTE (JUD)
 03/18/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 03/18/16 (S) Heard & Held
 03/18/16 (S) MINUTE (JUD)
 03/21/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 03/21/16 (S) Heard & Held
 03/21/16 (S) MINUTE (JUD)
 03/23/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 03/23/16 (S) Moved CSSSSB 91(JUD) Out of Committee
 03/23/16 (S) MINUTE (JUD)
 03/24/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/24/16 (S) <Bill Hearing Canceled>
 03/25/16 (S) JUD RPT CS 3DP 1NR NEW TITLE
 03/25/16 (S) DP: MCGUIRE, COGHILL, COSTELLO
 03/25/16 (S) NR: WIELECHOWSKI
 03/25/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/25/16 (S) -- MEETING CANCELED --
 03/28/16 (S) FIN AT 1:00 PM SENATE FINANCE 532
 03/28/16 (S) Heard & Held
 03/28/16 (S) MINUTE (FIN)
 03/29/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/29/16 (S) Heard & Held
 03/29/16 (S) MINUTE (FIN)
 03/30/16 (S) FIN AT 1:00 PM SENATE FINANCE 532
 03/30/16 (S) Heard & Held

03/30/16 (S) MINUTE (FIN)
03/31/16 (S) FIN AT 1:00 PM SENATE FINANCE 532
03/31/16 (S) Heard & Held
03/31/16 (S) MINUTE (FIN)
04/01/16 (S) FIN AT 8:00 AM SENATE FINANCE 532
04/01/16 (S) Heard & Held
04/01/16 (S) MINUTE (FIN)
04/01/16 (S) FIN AT 1:00 PM SENATE FINANCE 532
04/01/16 (S) Heard & Held
04/01/16 (S) MINUTE (FIN)
04/02/16 (S) FIN AT 10:00 AM SENATE FINANCE 532
04/02/16 (S) Heard & Held
04/02/16 (S) MINUTE (FIN)
04/04/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/04/16 (S) Heard & Held
04/04/16 (S) MINUTE (FIN)
04/04/16 (S) FIN AT 1:30 PM SENATE FINANCE 532
04/04/16 (S) Heard & Held
04/04/16 (S) MINUTE (FIN)
04/05/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/05/16 (S) -- MEETING CANCELED --
04/05/16 (S) FIN AT 1:30 PM SENATE FINANCE 532
04/05/16 (S) Heard & Held
04/05/16 (S) MINUTE (FIN)
04/06/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/06/16 (S) Scheduled but Not Heard
04/07/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/07/16 (S) Heard & Held
04/07/16 (S) MINUTE (FIN)
04/07/16 (S) FIN AT 5:00 PM SENATE FINANCE 532
04/07/16 (S) Moved CSSSSB 91(FIN) Out of Committee
04/07/16 (S) MINUTE (FIN)
04/08/16 (S) FIN RPT CS 4DP 1NR 1AM NEW TITLE
04/08/16 (S) DP: KELLY, MACKINNON, MICCICHE, BISHOP
04/08/16 (S) NR: DUNLEAVY
04/08/16 (S) AM: HOFFMAN
04/09/16 (S) TRANSMITTED TO (H)
04/09/16 (S) VERSION: CSSSSB 91(FIN) AM
04/10/16 (H) READ THE FIRST TIME - REFERRALS
04/10/16 (H) JUD, FIN
04/10/16 (H) JUD AT 2:00 PM GRUENBERG 120
04/10/16 (H) -- MEETING CANCELED --
04/11/16 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: SB 24

SHORT TITLE: LEGIS. ETHICS ACT: CONTRACTORS, INTERNS
SPONSOR(s): SENATOR(s) GARDNER

01/21/15 (S) READ THE FIRST TIME - REFERRALS
 01/21/15 (S) STA, JUD
 03/05/15 (S) STA AT 9:00 AM BUTROVICH 205
 03/05/15 (S) Scheduled but Not Heard
 03/12/15 (S) STA AT 8:00 AM BUTROVICH 205
 03/12/15 (S) Heard & Held
 03/12/15 (S) MINUTE (STA)
 03/31/15 (S) STA AT 9:00 AM BUTROVICH 205
 03/31/15 (S) Moved SB 24 Out of Committee
 03/31/15 (S) MINUTE (STA)
 04/01/15 (S) STA RPT 2DP 2NR
 04/01/15 (S) DP: COGHILL, MCGUIRE
 04/01/15 (S) NR: STOLTZE, HUGGINS
 02/24/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/24/16 (S) Heard & Held
 02/24/16 (S) MINUTE (JUD)
 02/29/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/29/16 (S) Moved CSSB 24(JUD) Out of Committee
 02/29/16 (S) MINUTE (JUD)
 03/02/16 (S) JUD RPT CS 3DP 2NR NEW TITLE
 03/02/16 (S) DP: MCGUIRE, COSTELLO, COGHILL
 03/02/16 (S) NR: WIELECHOWSKI, MICCICHE
 04/01/16 (S) TRANSMITTED TO (H)
 04/01/16 (S) VERSION: CSSB 24(JUD)
 04/04/16 (H) READ THE FIRST TIME - REFERRALS
 04/04/16 (H) STA, JUD
 04/07/16 (H) STA RPT 2DP 5NR
 04/07/16 (H) DP: KREISS-TOMKINS, LYNN
 04/07/16 (H) NR: SPOHNHOLZ, STUTES, KELLER,
 TALERICO, VAZQUEZ
 04/07/16 (H) STA AT 8:00 AM CAPITOL 106
 04/07/16 (H) Moved CSSB 24(JUD) Out of Committee
 04/07/16 (H) MINUTE (STA)
 04/10/16 (H) JUD AT 2:00 PM GRUENBERG 120
 04/10/16 (H) -- MEETING CANCELED --
 04/11/16 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: HJR 19

SHORT TITLE: CONST. AM: APPROPRIATIONS FROM CBR

SPONSOR(S): REPRESENTATIVE(S) REINBOLD

03/20/15 (H) READ THE FIRST TIME - REFERRALS
 03/20/15 (H) STA, JUD, FIN
 04/07/15 (H) STA RPT 6NR
 04/07/15 (H) NR: TALERICO, STUTES, KELLER, VAZQUEZ,
 KREISS-TOMKINS, LYNN

04/07/15 (H) STA AT 8:00 AM CAPITOL 106
04/07/15 (H) Moved HJR 19 Out of Committee
04/07/15 (H) MINUTE (STA)
02/08/16 (H) JUD AT 1:00 PM CAPITOL 120
02/08/16 (H) <Bill Hearing Canceled>
04/11/16 (H) JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

JORDAN SCHILLING, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 91, explained differences between SB 91 and HB 205, and answered questions.

JOHN SKIDMORE, Director
Legal Services Section
Criminal Division
Department of Law (DOL)
Anchorage, Alaska

POSITION STATEMENT: During the hearing of SB 91, answered questions.

DEAN WILLIAMS, Commissioner Designee
Department of Corrections
Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 91, answered questions.

JEFF EDWARDS, Executive Director
Board of Parole
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: During the hearing of SB 91, answered questions.

SHERRI DAGLIE, Public Information Officer
Office of the Commissioner
Department of Corrections
Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 91, answered questions.

TONY PIPER, Program Manager
Alaska Alcohol Safety Action Program (ASAP)
Division of Behavioral Health

Department of Health & Social Services
Anchorage, Alaska

POSITION STATEMENT: During the hearing on SB 91, discussed the Alaska Alcohol Safety Action Program (ASAP).

BERTA GARDNER, Senator
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 24 presented the bill as prime sponsor.

JERRY ANDERSON, Administrator
Select Committee on Legislative Ethics
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 24, advised he was available to answer questions.

LORA REINBOLD, Representative
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of HJR 19, presented the bill as prime sponsor.

ACTION NARRATIVE

[1:06:16 PM](#)

CHAIR GABRIELLE LEDOUX called the House Judiciary Standing Committee meeting to order at 1:06 p.m. Representatives Lynn, Foster, Claman, and LeDoux were present at the call to order. Representatives Kreiss-Tomkins and Keller arrived as the meeting was in progress.

SB 91-OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS

[1:07:10 PM](#)

CHAIR LEDOUX announced that the first order of business would be 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."

[Before the committee was CS for Sponsor Substitute for Senate Bill 91(FIN) am, Version Y.A]

CHAIR LEDOUX advised the intention today is to ask questions, note anything in Senate Bill 91 that is different from HB 205 that the committee agrees with, and then offer amendments as to the portions the committee does not agree. She added, the upcoming committee substitute is basically HB 205 [incorporated into SB 91]. She then asked Senator Coghill's aide to present the bill and explain the differences between SB 91 and HB 205.

[1:08:05 PM](#)

JORDAN SCHILLING, Staff, Senator John Coghill, Alaska State Legislature, referred to the spreadsheet title: Policy, Differences between SB 91 and HB 205, Code Section and said he will identify the changes between the two bills and amendments adopted thus far in SB 91, which is before the committee.

MR. SHILLING pointed to [AS 11.46.130(a)] HB 205, an amendment recently adopted by the House Judiciary Standing Committee, and stated that the felony theft threshold is at \$1,000 and is linked to the CPI increase every five years. Whereas, SB 91 has a threshold of \$2,000, and it is not linked to the CPI.

[2:20:16 PM](#)

CHAIR LEDOUX pointed to the policy difference between \$1,000 and \$2,000, and asked why the Senate chose not to inflation-proof.

MR. SHILLING acknowledged that he had difficulty recalling all of the conversations around the inflation adjustment, and opined that it was removed in the first committee of referral due to a general uncomfortableness in linking it to the CPI because the legislature should consider that number as it necessitates being adjusted, rather than automatically.

CHAIR LEDOUX surmised that the legislature would be coming back to this every couple of years.

MR. SHILLING answered in the affirmative.

REPRESENTATIVE CLAMAN referred to the spreadsheet and asked Mr. Shilling to explain the color coding.

MR. SHILLING explained that the light orange tint reflects amendments recently adopted by the House Judiciary Standing Committee on HB 205.

REPRESENTATIVE CLAMAN asked whether that means the portions not tinted reflect parts in HB 205 that are not in SB 91, or in SB 91 and not in HB 205.

MR. SHILLING answered that the entire spreadsheet reflects the differences between the two bills, and the tinted portions are different due to the amendments the House Judiciary Standing Committee adopted.

[1:10:48 PM](#)

MR. SHILLING [referring to AS 11.56.730] said that the commission recommended that failure to appear be a violation, but then becoming a crime once the individual has absconded for 30 days or more. The difference is what level of crime it becomes once it has been determined the individual has absconded. He explained that HB 205 reads that if the individual has absconded it is a class A misdemeanor regardless of the underlying offense. Within SB 91, it would be a class A misdemeanor if the underlying crime was a misdemeanor, and a class C felony if the underlying crime was a felony.

[1:11:36 PM](#)

MR. SHILLING, [referring to AS 11.71.030(a), misconduct involving controlled substances statutes], advised the commission recommended a 2.5 gram threshold to differentiate between a high level drug dealer and a low level drug dealer -

class B felony versus class C felony. He explained that SB 91 separates one-eighth substances out of the 2.5 gram threshold and applies its own threshold of 1 gram to 1A substances. He noted that the Senate version also takes into account dosage units and aggregate weight for the purpose of determining whether it is a class B or class C felony.

[1:12:13 PM](#)

MR. SHILLING [referring to AS 12.55.027] said SB 91 has a 120 day cap on the amount of pretrial credit a defendant can receive on electronic monitoring, and opined that this committee adopted an amendment removing that firm 120 day cap.

[1:12:33 PM](#)

MR. SHILLING [referring to AS 12.55.090(c)] said the change relates to probation term lengths, and within HB 205 there are probation limits specifically for domestic violence (DV) offenses. Whereas, he pointed out, SB 91 has a three-year cap on all assault offenses and not solely DV-related assaults.

REPRESENTATIVE CLAMAN surmised that HB 205 has a higher cap on DV offenses compared to everything else, whereas the Senate doesn't make the distinction.

MR. SHILLING requested that the committee review the language within the two bills because it is more nuanced than that, and he turned to SB 91, Version Y, page 39.

MR. SHILLING, in response to Chair LeDoux, acknowledged that he did not have SB 91, Version Y.A, but had Version Y. He asked whether the version before the committee was Y.A.

CHAIR LEDOUX agreed.

[1:14:01 PM](#)

The committee took a brief at ease.

[1:14:35 PM](#)

MR. SHILLING pointed to SB 91, Version Y.A, page 39, and to HB 205, Version H, page 40. He opined that within HB 205, page 40, the House Judiciary Standing Committee adopted an amendment changing the maximum term of probation for an unclassified sex offense to 10 years and "it is not reflected in what we see

here." That amendment "being adopted into this" does provide parity on that offense in SB 91. He pointed to the difference as it relates to the misdemeanors, such that HB 205 is two years for a misdemeanor offense involving domestic violence (DV). Whereas, within SB 91 it is three years for any offense under AS 11.41.230, which is assault.

REPRESENTATIVE CLAMAN asked whether it was assault or assault in the fourth degree.

MR. SHILLING clarified that it is assault in the fourth degree.

[1:16:01 PM](#)

MR. SHILLING [referring to AS 12.55.110] said the change relates to the technical cap on technical violation stays. The commission recommended that individuals committing technical violations spend three days, five days, and ten days in prison for those violations. The commission acknowledged that some technical probation violations are worse than others, and it recommended excluding non-completion of sex offender treatment from the definition of technical violation. The Senate carved out more things from that definition, for example, not completing batterers' intervention programming, and failure to complete special sex offender supervision conditions would be excluded from the definition of technical violation. He added that HB 205 does not make similar carve outs.

[1:17:07 PM](#)

MR. SHILLING [referring to AS 12.55.125(a)] said the change relates to mandatory minimums for first and second degree murder. He asked for clarification as to whether the House Judiciary Standing Committee had considered an amendment regarding the mandatory minimums, and should he skip to the next change.

CHAIR LEDOUX said to not skip to the next change because this committee had considered the amendment and it was withdrawn pending the Senate's actions. She clarified that that doesn't mean this committee will exactly take up the Senate's version.

MR. SHILLING explained that the Senate increased the mandatory minimum by five-years for first degree murder, moving from 20 years to 25 years; and second degree murder would be increased to five years, moving from 10 years to 15 years.

[1:17:59 PM](#)

MR. SHILLING [referring to AS 12.12.55.135(a)] said the change relates to misdemeanor class A ...

REPRESENTATIVE CLAMAN interjected that another issue on the murder statute was a discussion regarding stacking issues on second degree murder wherein multiple people are killed in one event. He asked whether the Senate had adopted anything regarding stacking.

MR. SHILLING advised that he was not aware of the stacking issue and opined that it was not considered in the Senate.

REPRESENTATIVE CLAMAN surmised that murder in the second degree from the Senate was 15 years.

MR. SHILLING answered in the affirmative.

[1:18:47 PM](#)

MR. SHILLING [returning to his testimony regarding class A misdemeanors] advised that the commission recommended a zero to 30 day presumptive range for class A misdemeanors with exceptions. An exception in HB 205 is that a DV-related assault in the fourth degree can be sentenced within a zero to one-year range. Similarly, in SB 91, DV-assault in the fourth degree is an exception from the zero to 30 range, and DV-assault in the fourth degree can be sentenced up to one-year, but the Senate also included non-DV-related assault in the fourth degree, and that exception to the zero to 30 day presumption.

CHAIR LEDOUX asked what elements are involved in a non-DV-assault in the fourth degree.

MR. SHILLING deferred to the Department of Law on the elements of the offense, and opined that it would be a mutual combat situation where the relationship is not that of a domestic violence offense.

REPRESENTATIVE CLAMAN surmised that within HB 205 only DV-assault in the fourth degree has the carve-out of a longer sentence than the 30 day limit. Whereas, within SB 91 all assaults in the fourth degree have a 30 day limit, even DV-assault.

MR. SHILLING agreed.

REPRESENTATIVE CLAMAN asked whether that was for first offenses.

MR. SHILLING agreed, and he said any crime that is a repeat conviction can be sentenced outside of the zero to 30 day range. Therefore, the exceptions for all assault in the fourth degree could be applied upon the first DV conviction, he explained.

[1:20:41 PM](#)

MR. SHILLING [referring to AS 22.35.030(b)] said it relates to the suspended entry of judgment provision. Within SB 91, language specifically provides for those convictions to appear on CourtView, and he opined that the House Judiciary Standing Committee adopted an amendment requiring that those convictions do not appear on CourtView.

CHAIR LEDOUX advised Mr. Shilling he was correct.

[1:21:14 PM](#)

MR. SHILLING [referring to AS 33.07.010] said the change relates to the agencies that are to work collaboratively with the Department of Corrections (DOC) to adopt regulations implementing the pretrial release decision framework, and the recommendations that would be made to the courts. Currently, the Office of Victims' Rights (OVR) in HB 205 is not among the agencies working on those regulations. Whereas, he said, within the SB 91 the Office of Victims' Rights will be part of that process.

[1:21:47 PM](#)

MR. SHILLING [referring to AS 33.07.030] said the change relates to the ability of the Department of Corrections (DOC) to contract out its supervision of pretrial defendants. A provision adopted within SB 91 explicitly allows the DOC to contract out, for example, pretrial electronic supervision and HB 205 does not contain a similar provision.

CHAIR LEDOUX asked, without that similar provision the Department of Corrections (DOC) would not be able to contract that out.

MR. SHILLING acknowledged that it is not entirely clear to him and he opined that DOC has broad authority to contract out and suggested it might be something to review. He further opined

that he was unsure whether it was absolutely necessary for language allowing DOC to contract out.

CHAIR LEDOUX explained there has been some concern amongst members in the House of Representatives about DOC contracting out to private companies.

MR. SHILLING agreed, and he said he had heard some uneasiness surrounding private electronic monitoring companies and the amount of oversight the state has over those entities.

CHAIR LEDOUX remarked that once Mr. Shilling's presentation is completed she would like to hear from someone from the Department of Corrections and the Department of Law regarding assault in the fourth degree issues.

[1:23:45 PM](#)

MR. SHILLING [referring to AS 33.16.089] said the change relates to administrative parole policy. He offered that SB 91 excluded criminally negligent homicide, a class B felony, from the administrative parole provision, and opined that the House Judiciary Standing Committee had not made a similar carve-out.

[1:24:11 PM](#)

MR. SHILLING [referring to AS 33.16.090(a)] said the next difference relates to the geriatric parole provision. Currently, he explained, within SB 91, an individual becomes eligible for that form of discretionary parole upon reaching the age of 60 years, and having served 10 years. However, SB 91 excluded unclassified felons and sex offenders from this policy. He opined that within HB 205, the age of eligibility is 55 years with the length of stay required to become eligible is 10 years, and those offenders are not carved out of the policy.

[1:25:01 PM](#)

MR. SHILLING [referring to AS 33.16.090(b)] said the change relates to discretionary parole eligibility for sex offenders. He said the commission recommended that eligibility for discretionary parole for sex offenders would occur at the one-third point within their sentence, and would apply to all sex offenders except repeat unclassified and class A sex offenders. The Senate Finance Committee excluded unclassified sex offenders from that policy, which would be sexual abuse of a minor in the first degree and sexual assault in the first degree. It moved

the point in which they become eligible from one-third of the sentence to one-half of the sentence. He opined that the House Judiciary Standing Committee had not made any changes to that policy, and that it conforms exactly to the commission's recommendations.

[1:25:55 PM](#)

MR. SHILLING [referring to AS 33.16.130] said the change relates to a provision inserted into SB 91 by the Senate State Affairs Standing Committee allowing the Board of Parole to confer with a corrections officer when making decisions regarding discretionary parole. He pointed out that a similar provision is not contained within HB 205.

[1:26:24 PM](#)

MR. SHILLING [referring to 33.16.150, 24/7 program] said SB 91 contains a provision granting authority to the Board of Parole to place parolees in the 24/7 sobriety program, and HB 205 does not contain that provision.

[1:26:42 PM](#)

MR. SHILLING [referring to AS 33.16.215, early discharge] said the commission recommended an early discharge provision allowing those ...

CHAIR LEDOUX asked Mr. Shilling to explain, for the committee and the public, what is meant by the 24/7 sobriety program.

MR. SHILLING explained that the Board of Parole, as a condition of parole, may require an individual to participate in a program requiring a breathalyzer test twice a day to ensure sobriety. He offered that it is arguably something the Board of Parole currently has the ability to do, and described it as a bit duplicative. He added that this provision was inserted within the Senate Judiciary Standing Committee.

CHAIR LEDOUX surmised that within the 24/7 sobriety program an individual provides a breathalyzer test twice a day. She asked how it works exactly, and how many hours it takes before zero alcohol registers in the person's system. She offered a scenario of an individual taking the first test at 12:00 noon, has a beer immediately after the first test, [and takes the second test 12 hours later].

MR. SHILLING offered that it is difficult to answer because he is not an expert on how long it takes a body to metabolize alcohol, and it varies from person to person. He agreed the test happens 12 hours apart and presumably an individual could consume some alcohol during that period and still blow at a zero blood alcohol content during the second test.

CHAIR LEDOUX inquired as to whether the tests must be 12 hours apart. For example, an individual takes the test at 12:00 noon and rather than having them take it again exactly 12 hours later, could the testing be random so the person does not know when the test will occur.

1:29:00 PM

MR. SHILLING advised there are other technologies that test more frequently. For example, the Department of Corrections (DOC) uses Secure Continuous Remote Alcohol Monitoring (SCRAM) bracelets, a transdermal alcohol testing device that tests every 30 minutes. There are other interventions to ensure sobriety beyond simply testing twice a day, 12 hours apart, he noted, and deferred to DOC.

CHAIR LEDOUX asked whether a parolee would have to participate in both the 24/7 program and the SCRAM bracelet.

MR. SHILLING opined that the Board of Parole has the discretion to impose a number of conditions and he thought it may be possible to impose both conditions. He deferred to the Board of Parole and Jeff Edwards.

CHAIR LEDOUX noted that Tony Piper from the Alaska Alcohol Safety Action Program (ASAP) program is available for questions, but Mr. Shilling will finish his presentation before calling witnesses.

1:30:22 PM

MR. SHILLING [referring to AS 33.16.210] said the change relates to the early discharge policy. He advised that SB 91 excludes unclassified felons, domestic violence offenders, sex offenders, and misdemeanants, from the early discharge policy. He opined that the House Judiciary Standing Committee had not made those carve-outs to the early discharge provision. Therefore, the only difference would be that within SB 91, misdemeanants are not eligible for early discharge, and within HB 205, misdemeanants are eligible for early discharge.

[1:31:13 PM](#)

MR. SHILLING [referring to AS 33.16.215] noted that technical violations had previously been discussed, and the reason it is on the spreadsheet twice is because that same policy applies to both probation and parole.

[1:31:26 PM](#)

MR. SHILLING [referring to AS 33.20.010, earned good time credit for sex offenders] said the commission recommended a one-third earned credit for sex offenders who complete sex offender programming in DOC facilities, and that credit is one-third of the sentence. He noted that SB 91 removes this policy entirely from the bill. The House Judiciary Standing Committee amended that provision, he related, although it has not adjusted the credit amounts and it remains intact otherwise in HB 205.

[1:32:02 PM](#)

MR. SHILLING [referring to AS 33.30.095] said that the change relates to reentry support given to inmates prior to release. He referred to a provision in the bill which read: "within 90 days of release the DOC shall do a number of things to prepare an individual for entry." One of the new responsibilities given to that program is that DOC shall allow non-profits to come into the facility and work with these individuals to sign them up for public assistance and other benefits prior to release, he explained.

[1:32:41 PM](#)

MR. SHILLING [referring to AS 43.61.010, marijuana taxes] advised that the Senate Finance Committee inserted a provision into SB 91 to ensure that the reinvestment priorities of the legislature could be adequately funded. The solution was to direct 50 percent of the marijuana tax revenue into recidivism reduction programs. In making that move, the provision would adequately fund community based substance abuse treatment programs in prison, community residential centers, substance abuse treatment programs, victims' services, violence prevention, and a number of other items. He described this as major difference between the two provisions because one makes reinvestment possible, and one makes reinvestment more difficult.

CHAIR LEDOUX related, "Counting your chickens before the eggs have hatched," and asked whether it is actually known what the marijuana taxes will bring to the state.

MR. SHILLING responded that the Department of Revenue provided a conservative projection of bringing in \$6 million in FY17, that amount would double in FY18, and the out years to \$12 million. Therefore, he remarked, this statutory provision, which mirrors what the state does with alcohol tax revenue, would divert one-half of that into recidivism reduction. There is some wiggle room the Senate Finance Standing Committee built in, in the event those projections do not come to be true. He reiterated that the administration believes it is a conservative estimate.

[1:34:31 PM](#)

REPRESENTATIVE LYNN asked whether Mr. Shilling said the projection is \$6 million on the marijuana tax.

MR. SHILLING answered in the affirmative.

REPRESENTATIVE LYNN asked whether that is after the expenses of putting together the various boards, writing regulations, and setting up the whole program. He further asked whether it is gross or net income.

MR. SHILLING answered that he did not know how the cost of the board and writing regulations sits in with the projected revenue, and he could get back to Representative Lynn after the meeting.

MR. SHILLING, in response to Representative Lynn, agreed that it makes a big difference.

CHAIR LEDOUX pointed out that the Director of the Alcoholic Beverage Control Board (ABC Board) and the Director of the Marijuana Control Board is the same person in order to curtail expenses.

REPRESENTATIVE LYNN commented that it is unknown whether that is before or after expenses.

CHAIR LEDOUX stated, "That is what Mr. Shilling just said."

CHAIR LEDOUX extended that she would like to direct a question to the Department of Law.

1:36:29 PM

JOHN SKIDMORE, Director, Legal Services Section, Criminal Division, Department of Law (DOL), said he was available to answer questions.

CHAIR LEDOUX asked for an example of a non-domestic violence assault in the fourth degree.

MR. SKIDMORE explained that assault in the fourth degree is any assault in which someone is placed in fear of imminent serious physical injury, or has physical injury pain. When the domestic violence (DV) restriction is applied there must be a certain relationship between the two people involved in that particular instance. He explained, in the instance in which that relationship does not exist is, by definition, a non-domestic violence assault. For example, a bar fight or neighbors getting into an altercation, or two people who do not know each other end up in some sort of assault, those do not meet the domestic violence relationship. He described it as a fairly broad spectrum on what it could include.

CHAIR LEDOUX asked whether both people would be charged with assault in the fourth degree, such as a bar fight.

MR. SKIDMORE advised there are instances in which both parties have been charged which is something the Department of Law (DOL) attempts to avoid. In the event both parties are charged in such a situation it is generally considered to be more of a mutual combat scenario, and disorderly conduct is the more appropriate charge. Secondly, he offered when both parties are charged it is an attempt by the police to bring both people in because they had difficulty sorting out the primary aggressor. In that situation, he offered, the district attorney will review it to determine the primary aggressor and whether or not someone had a defense, such as self-defense, available to them.

CHAIR LEDOUX said her next question involved the Department of Corrections entering into contracts for the supervision of pretrial defendants.

1:39:12 PM

DEAN WILLIAMS, Commissioner Designee, Department of Corrections, advised that the Department of Corrections (DOC) currently has authority to contract out if it so desires, and the language in this provision reads: "the department may." Mr. Shilling was

correct in his testimony in that the department currently has the authority to begin with, and a policy call is the issue. He related that for the Department of Corrections (DOC) to have the discretion to do either one is best, and remarked that he personally believes there is a state interest in deciding who is on electronic monitoring, but it is a policy call.

CHAIR LEDOUX offered that concern reported to her has involved a person being out on electronic monitoring, and some of the private companies are not there 24-7 hours/days. She asked whether someone is listening to whether or not someone has taken off the electronic monitor. She related that she had heard of instances where someone was supposed to be on electronic monitoring and went to a location they were not allowed, and in one case someone was murdered.

MR. WILLIAMS offered that he had heard the same incidental anecdotal stories regarding concerns, of which he has equal concern, regarding those instances happening. He related that his goal in moving forward with the department is to be certain whatever is being done with electronic monitoring that it is the most robust program the department has. He said he has control over it either way, with the contractor, or with operations himself. He pointed out that there is an interest in this state having direct oversight. It makes sense to him that the state would have ultimate responsibility in running the program and may, in fact, want to have full authority and not contract it out. He noted that it is going well in some place with the independent contractors, but in moving forward he will vet all options to determine which works best.

[1:42:21 PM](#)

CHAIR LEDOUX asked whether he is aware of instances where the private contractor simply has not been available 24-7.

MR. WILLIAMS replied that he had only heard them peripherally and he does not have direct evidence on those cases. He acknowledged that he has not looked into the cases or had his team investigate them, specifically, and feels uncomfortable saying whether they are true or not.

CHAIR LEDOUX inquired as to whether the contract with DOC requires the independent contractor to have someone available listening for the monitor 24-7.

MR. WILLIAMS explained he is not familiar with the specifications of the contract and assumed there are certain provisions laying out what is expected of the contractor.

[1:43:42 PM](#)

JEFF EDWARDS, Executive Director, Board of Parole, Department of Corrections, said he was available for questions.

CHAIR LEDOUX asked whether he had listened to her questions with respect to the private contractors and electronic monitoring.

MR. EDWARDS related that it is not his area of expertise and hesitated to go into specifics with regard to private contractors. He said he does know that individuals may hire a private electronic monitoring company to place themselves on electronic monitoring. He was uncertain whether they contracted through DOC because DOC utilizes its own electronic monitoring program. He noted he was unaware of any contracts DOC has with private contractors which sometimes can be problematic because the Board of Parole does not have specific oversight of those individual private agencies.

[1:44:53 PM](#)

CHAIR LEDOUX expressed that she was uncomfortable with private contractors operating what is definitely a state function and maybe not performing in the manner they should.

REPRESENTATIVE CLAMAN referred to notes on the spreadsheet, which he read: "Pretrial does not grant DOC the authority to enter into contracts for the supervision of pretrial defendants who have been released." He said he is trying to determine which bill reads they can, and which bill reads they can't. He offered that he received a note from Mr. Shilling advising that neither bill prohibits them from doing it and that they have the authority today. He acknowledged confusion as to what the different bills do and how they differ from one another because it appears as though both bills, in the pretrial context, are allowed to contract out.

[1:46:00 PM](#)

MR. WILLIAMS advised that the department has the authority to do it one way or the other, and that it is a policy issue around whether or not it is a good idea. He reiterated that he is uncomfortable with getting into the area of electronic

monitoring nuances, but the department has the authority to supervise and contract out. He provided that the issue is whether or not electronic monitoring should be contracted out, and he fully hears the concerns of the committee.

CHAIR LEDOUX noted she was reading the explanation that read: "Does not grant DOC the authority to enter into ..."

[1:47:07 PM](#)

MR. SHILLING agreed that it is confusing. He explained that under HB 205, no explicit authority is granted to give DOC the ability to contract out. The department does not need that explicit authority in statute because they already can. He clarified that SB 91 went out of its way to provide that explicit authority, despite not needing to, to make it crystal clear that private electronic monitoring companies could be contracted with. In the event the House Judiciary Standing Committee desires to prohibit that type of contracting it would need to put that in the bill, he opined.

CHAIR LEDOUX surmised that SB 91 may include something it really didn't need to add in because the department already has the authority to enter into contracts. She advised that the policy call for this committee is whether it believes the department should have the ability to enter into contracts with private enterprises, to have the oversight of what is a legitimate governmental function, which is probably one of the few things this committee can all agree upon.

REPRESENTATIVE CLAMAN opined it is DOC's call today as to whether it sends someone out on electronic monitoring and count that as prison time. Currently, he asked, is DOC putting people in custody out on pretrial electronic monitoring and saying it does not want them in custody and will move them someplace else, and the person is on electronic monitoring.

[1:49:32 PM](#)

MR. WILLIAMS agreed, and he said that part is currently going on with the state. He clarified there is a provision for a person eligible for private electronic monitoring to pay a private contractor and the department is not involved in any of the business dealing with regard to those folks. The contemplation here is whether to encourage the consideration to have the state contract out, as can be done currently without the language. He noted it seems to encourage the prospect of that. In terms of

leading the department, he said he will do the safest and best thing, especially in the arena of pretrial. He described it as a large policy call about whether or not the department will do it, and the issue is whether or not the language is needed in the bill which somewhat opens the door a bit more to encourage it.

REPRESENTATIVE CLAMAN related that a person pays a private electronic monitoring company to electronically monitor them while they are released pretrial. He asked whether, currently, the department is letting people out of jail pretrial on electronic monitors, for those in the custody of DOC who didn't bail out.

MR. WILLIAMS deferred to Ms. Dagle, Department of Corrections.

[1:51:39 PM](#)

SHERRI DAGLE, Public Information Officer, Office of the Commissioner, Department of Corrections, said that the Department of Corrections (DOC) does not do pretrial electronic monitoring, that is handled through the Alaska Court System as anything pretrial does go through a private contractor. Once a person is sentenced DOC can then place that person on electronic monitoring if they meet certain criteria. She remarked there is a large packet of information a person must first fill out and they must meet a certain classification score in order to be released on electronic monitoring. The department will closely monitor a person on electronic monitoring for anything post-sentence and, she noted, only a certain number of people are let out. Pretrial, the department does not have any authority over that and the people are monitored by a private company.

[1:52:41 PM](#)

REPRESENTATIVE CLAMAN referred to post-sentence and asked whether the department actually owns the electronic monitors and bracelets, or post-sentence are they contracting with private entities that have the bracelets and the technology that follows them around.

MS. DAGLE advised the department actually owns that equipment.

REPRESENTATIVE CLAMAN referred to pretrial today and said the department is not involved at all.

MS. DAGLE answered in the affirmative.

REPRESENTATIVE CLAMAN noted that the interesting question becomes whether the committee wants to authorize the department in the pretrial context to release people on electronic monitoring. These are the people who essentially would otherwise be in jail because if they had gotten out as a matter of bail they wouldn't need the department's electronic monitoring. The questions are whether to allow pretrial release from the department and if the committee does allow, does the department have to do it themselves, or does the committee allow the department to pay a contractor to do the same thing.

MS. DAGLE answered, correct.

[1:53:56 PM](#)

CHAIR LEDOUX offered a hypothetical situation wherein someone is not out on pretrial bail because they haven't been convicted yet. The question before the committee then becomes whether to require the Department of Corrections to monitor these folks, or allow the Department of Corrections to contract with other people. She asked whether she was correct.

MS. DAGLE replied that it is correct.

[1:54:37 PM](#)

CHAIR LEDOUX remarked that that brings up another question, and said if the committee is considering requiring the Department of Corrections (DOC) to oversee the people who can't make bail, why should the committee say that for all of the people who can make bail, DOC is not involved at all.

She opined that some of these cases, Mr. Williams and she heard about, are people on pretrial. She asked what it would take to make sure the department has oversight over everyone on electronic monitoring, whether out on bail or in custody. She asked whether Ms. Dagle understood her point.

MS. DAGLE responded that she did understand and opined that anytime someone is allowed out on electronic monitoring there will be a certain amount of risk. She advised that the point is to measure that risk and what society is comfortable with, which is a policy question.

[1:56:10 PM](#)

CHAIR LEDOUX referred to the interplay under this bill and said that for a lot of people bail just isn't going to be required anymore. She pointed out that bail will be on a different sort of consideration because it will not be whether a person does or does not have money to make bail. She asked how that fits into all of this, if it does.

MS. DAGLE stated that she was unsure that it does, and she is not sure how to answer the question.

REPRESENTATIVE CLAMAN opined that not only are the standards being changed, but one of the concepts of the bill is a risk assessment to attempt to have a smaller population of people in jail pretrial. Under the bill there would be a pretrial agency to provide a supervisory role in pretrial release and it would have some electronic monitoring capacity. The judge decides, based on the risk analysis, whether a defendant, rather than posting \$500, needs to be released on electronic monitoring. The question then becomes whether DOC will be the only agency to provide electronic monitoring under the system they currently have for post-sentence people, or to allow DOC to determine whether it makes the most sense to hire contractors.

[1:58:06 PM](#)

CHAIR LEDOUX voiced that it sounds like the Department of Corrections (DOC) is not involved at all when defendants are just out on bail.

MS. DAGLE responded correct, although, in the event this legislation passes with the creation of the pretrial unit, it will be the entity responsible for monitoring those released pre-sentence.

CHAIR LEDOUX said the department will be responsible, under this bill, for everyone.

MS. DAGLE agreed.

CHAIR LEDOUX surmised it becomes the committee's policy call as to whether or not it is appropriate that the department can contract this out or whether the department needs to be responsible itself.

[1:59:14 PM](#)

TONY PIPER, Program Manager, Division of Behavioral Health, said he was available for questions.

CHAIR LEDOUX requested an explanation as to how the 24/7 program works, and how someone can be put into the 24/7 program.

MR. PIPER explained there is a real time database where all information is placed by the provider performing the testing. He explained it will flag anyone who tries to come in early one day and late another day, and it is calculated to ensure people are testing consistently every 12 hours. Also, he noted, a urinalysis test is available that can go back and test up to 80 hours for alcohol if anyone missed the test or for some reason it looks like they are gaming the system.

CHAIR LEDOUX surmised that the test will always be the same time every day. She remarked that that sounds easy for the person that blows at 12:00 noon, and then has a beer or martini.

MR. PIPER explained that the alcohol testing should be able to capture anyone using alcohol during that time.

CHAIR LEDOUX argued that a person blows at 12:01 p.m., takes the test and then goes out and has a liquid lunch, and unless they get really drunk, it should be out of their system by midnight if the test is performed at the same time each time.

MR. PIPER explained that it is performed about the same time every day. There are hours of operation that gives them a two-hour period they can come in, but they have to be in at about 12 hour intervals. Within that 12 hour period they consistently find that individuals are alcohol free. He noted this 24/7 program is based upon a research program out of South Dakota, Montana, and North Dakota

2:02:11 PM

CHAIR LEDOUX expressed that, of course, the people are alcohol free because it doesn't take 12 hours to get the alcohol out of a person's system, unless they have had a heck of a lot of alcohol. But just a few drinks here and there, they could have some at lunch and then by midnight the person should be alcohol free. She asked whether she was wrong.

MR. PIPER agreed that it is possible, but the random checks, going back to 80 hours, would also catch them and the test is random so the participants never know when it is coming.

[2:03:35 PM](#)

CHAIR LEDOUX then read the list of witnesses available to answer questions and asked whether the committee would like to further discuss the differences of the two bills. She advised committee members to submit any amendments to Amy they may want incorporated into SB 91 that are not in HB 205. She further advised that those amendments will be discussed, and public testimony will be offered, on Wednesday.

REPRESENTATIVE KELLER asked for clarification as to whether she was considering moving the HB 205 version instead of SB 91.

CHAIR LEDOUX explained that the committee will hear SB 91 on Wednesday, and commented that except for all practical purposes, SB 91 will actually be HB 205. Mr. Shilling explained the differences within the two bills, and Chair LeDoux said she would like members to determine what language within SB 91 is better than the language within HB 205 to be offered as an amendment to HB 205. She explained it is easier dealing with HB 205 for purposes of Legislative Legal and Research Services drafting a document into something the committee can ultimately move to the House Finance Committee.

[SB 91 was held over.]

[2:06:44 PM](#)

The committee took an at-ease from 2:06 to 2:08 p.m.

SB 24-LEGIS. ETHICS ACT: CONTRACTORS, INTERNS

[2:08:05 PM](#)

CHAIR LEDOUX announced that the next order of business would be CS FOR SENATE BILL NO. 24(JUD), "An Act relating to the applicability of the Legislative Ethics Act to legislative interns, legislative volunteers, legislative consultants, legislative independent contractors, sole proprietorships, and other legal entities."

[2:08:07 PM](#)

BERTA GARDNER, Senator, Alaska State Legislature, advised that Joyce Henderson, outgoing administrator of the Legislative Ethics Committee, realized legislative contractors and

consultants are subject to Alaska's entire legislative ethics statute. Senator Gardner explained that the Legislative Ethics Committee has never enforced the provision, largely, and they lack the resources to do so. She pointed out there is no benefit to the state in requiring legislative contractors and consultants to participate in the state's ethics training, such as discussing how legislators can spend their office accounts, what the legislators are limited to do with their newsletters, and things of that sort. She used the example of LexisNexis, and said that the legislature should not pay the people that write the state's statute books to do this mandated legislative ethics training. Therefore, a subcommittee went through [the statute] piece-by-piece and proposed the provisions within SB 24, she said.

[2:10:15 PM](#)

JERRY ANDERSON, Administrator, Select Committee on Legislative Ethics, Alaska State Legislature, said he was available to answer questions.

CHAIR LEDOUX asked whether this bill is necessary and his thoughts on this legislation.

MR. ANDERSON responded that this bill is the product of hours and hours of work from the Legislative Ethics Committee, including the public members of the committee working with Senator Gardner's office. In general, he commented, the committee is supportive of this legislation.

CHAIR LEDOUX opened public testimony. After ascertaining no one wished to testify, closed public testimony.

[2:11:44 PM](#)

REPRESENTATIVE KELLER advised that he intends to review the bill further to determine whether adjustments need to be made on the floor of the House of Representatives.

[2:12:07 PM](#)

REPRESENTATIVE KELLER moved to report CSSB 24, Version 29-LS0148\E, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 24(JUD) moved from the House Judiciary Standing Committee.

[2:12:35 PM](#)

The committee took an at-ease from 2:12 p.m. to 2:16 p.m.

HJR 19-CONST. AM: APPROPRIATIONS FROM CBR

[2:16:24 PM](#)

CHAIR LEDOUX announced that the final order of business would be HOUSE JOINT RESOLUTION NO. 19, Proposing an amendment to the Constitution of the State of Alaska relating to the constitutional budget reserve fund.

[2:16:51 PM](#)

LORA REINBOLD, Representative, Alaska State Legislature, advised that the resolution caps the Constitutional Budget Reserve at 10 percent, and offers Alaskans the opportunity to vote as to whether they want the draw of the Constitutional Budget Reserve to be capped at 10 percent a year.

REPRESENTATIVE KREISS-TOMKINS noted he heard the resolution in the House State Affairs Standing Committee and appreciated the diligence of the chair of that committee.

CHAIR LEDOUX opened public testimony. After ascertaining no one wished to testify, closed public testimony.

[2:19:00 PM](#)

REPRESENTATIVE KELLER moved to report HJR 19, Version 29-LS0567\W, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HJR 19 moved from the House Judiciary Standing Committee.

[2:20:09 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:20 p.m.