

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**FOURTH SPECIAL SESSION**

**Juneau, Alaska**

**Sunday**

**November 5, 2017**

**Fourteenth Day**

Pursuant to adjournment the House was called to order by Speaker Edgmon at 1:49 p.m.

Roll call showed 39 members present.

Representative Tuck moved and asked unanimous consent that Representative Rauscher be excused from a call of the House today. There being no objection, it was so ordered. The presence of Representative Rauscher was noted later.

The invocation was offered by the Chaplain, Representative Wool. Representative Westlake moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for all Alaskans and their varied beliefs, I offer this invocation which consists of three quotes and followed by a prayer.

*A man who has committed a mistake and doesn't correct it, he is committing another mistake. Confucious*

*If he has a conscience he will suffer for his mistake; that will be punishment as well as the prison. Fyodor Dostoyevsky,*  
Crime and Punishment

*The glory of justice and the majesty of law are crafted not just by the Constitution - nor by the courts - nor by the lawyers - but by the men and women who constitute our society - who are the protectors of the law as they are themselves protected by the law. Robert Kennedy*

WO LORD, hear my plea for justice. Listen to my cry for help. Pay attention to my prayer, for it comes from an honest heart. Help us to love our neighbors more than we love ourselves, respecting differences and embracing our commonalities to find common ground.

Break our hearts for the things that break yours. Help us to be your echoes of mercy and whispers of love. Use our hands to extend help to those who are in need of it. Guide our hearts to an everlasting peace. Help us to realize that an aching world is waiting for us, your followers, to be instruments of justice and stewards of your word.

In your name we pray. Amen.

The Pledge of Allegiance was led by Representative Tilton.

#### **CERTIFICATION OF THE JOURNAL**

Representative Tuck moved and asked unanimous consent that the journal for the 13th legislative day of the fourth special session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **CONSIDERATION OF THE DAILY CALENDAR**

#### **SENATE BILLS IN THIRD READING**

#### **SB 54**

The following, which was held in second reading from the November 4 calendar (page 1945), was before the House:

HOUSE CS FOR CS FOR SENATE BILL NO. 54(FIN) am H  
"An Act relating to crime and criminal law; relating to violation of condition of release; relating to sex trafficking; classifying U-

47700 as a schedule IA controlled substance; classifying tramadol and related substances as schedule IVA controlled substances; relating to sentencing; relating to imprisonment; relating to parole; relating to probation; relating to driving without a license; establishing a maximum caseload for probation and parole officers; relating to the pretrial services program; relating to the Alaska Criminal Justice Commission; relating to the Alaska Judicial Council; and providing for an effective date."

Amendment No. 12 was offered by Representatives Reinbold, Kawasaki, Eastman, Rauscher, and Tuck:

Page 15, line 27, through page 16, line 16:

Delete all material and insert:

"\* **Sec. 28.** AS 12.55.125(e) is amended to read:

(e) Except as provided in (i) of this section, a defendant convicted of a class C felony may be sentenced to a definite term of imprisonment of not more than five years, and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(1) if the offense is a first felony conviction and does not involve circumstances described in (4) of this subsection, [PROBATION, WITH A SUSPENDED TERM OF IMPRISONMENT OF] zero to **two years** [18 MONTHS]; a defendant sentenced under this paragraph may, if the court finds it appropriate, be granted a suspended imposition of sentence under AS 12.55.085, **and the court may, as a condition of probation under AS 12.55.086, require the defendant to serve an active term of imprisonment within the range specified in this paragraph;**

(2) if the offense is a second felony conviction, **two** [ONE] to **four** [THREE] years;

(3) if the offense is a third felony conviction, **three** [TWO] to five years;

(4) if the offense is a first felony conviction, and the defendant violated

[(A)] AS 08.54.720(a)(15), one to two years [;

(B) AS 28.35.030(n)(1)(A) OR 28.35.032(p)(1)(A), 120 DAYS TO 239 DAYS;

(C) AS 28.35.030(n)(1)(B) OR 28.35.032(p)(1)(B),  
240 DAYS TO 359 DAYS;  
(D) AS 28.35.030(n)(1)(C) OR 23.35.032(p)(1)(C),  
360 DAYS TO TWO YEARS]."

Page 42, lines 3 - 4:

Delete "AS 12.55.125(e)(4)(C), 12.55.125(e)(4)(D),  
12.55.125(e)(4)(E);"

Representative Reinbold moved and asked unanimous consent that  
Amendment No. 12 be adopted.

Representative Fansler objected.

Representative Claman rose to a point of order regarding confining  
remarks to the amendment before the body.

The Speaker acknowledged the point of order and requested that  
members cite Mason's Manual in the future.

Amendment No. 1 to Amendment No. 12 was offered by  
Representative Johnston:

Under **Sec. 28.**, (2):

Delete "two [ONE]"

Insert "one"

Under **Sec. 28.**, (3):

Delete "three [TWO]"

Insert "two"

Representative Johnston moved and asked unanimous consent that  
Amendment No. 1 to Amendment No. 12 be adopted. There being no  
objection, it was so ordered.

The question being: "Shall Amendment No. 12 as amended be  
adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H

Second Reading

Amendment No. 12 as amended

**YEAS: 26 NAYS: 13 EXCUSED: 1 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Grenn, Johnson, Johnston, Josephson, Kawasaki, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Pruitt, Reinbold, Saddler, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Guttenberg, Kito, Ortiz, Parish, Seaton, Westlake, Wool

Excused: Rauscher

And so, Amendment No. 12 as amended was adopted.

The Speaker stated that, without objection, Amendment No. 13 would be moved to the bottom of the amendments.

Amendment No. 14 was offered by Representatives LeDoux, Eastman, Rauscher, and Tuck:

Page 18, line 8:

Delete "10"

Insert "15"

Page 18, line 13:

Delete "five"

Insert "10"

Page 18, line 19:

Delete "suspended"

Insert "active"

Representative LeDoux moved and asked unanimous consent that Amendment No. 14 be adopted.

Representative Fansler objected.

The question being: "Shall Amendment No. 14 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H  
Second Reading  
Amendment No. 14

**YEAS: 21 NAYS: 18 EXCUSED: 1 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Johnson, Johnston, Josephson, Kawasaki, Knopp, Kopp, LeDoux, Millett, Neuman, Pruitt, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Tuck, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Kito, Kreiss-Tomkins, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Westlake, Wool

Excused: Rauscher

And so, Amendment No. 14 was adopted.

\*\*The presence of Representative Rauscher, who was excused (page 1947), was noted.

Amendment No. 15 was offered by Representatives LeDoux and Eastman:

Page 18, following line 23:

Insert a new bill section to read:

\*\* **Sec. 33.** AS 12.55.135(m) is amended to read:

(m) A court may not impose a sentence of imprisonment for a definite term of more than **five days** [24 HOURS] for a person convicted of disorderly conduct under AS 11.61.110."

Renumber the following bill sections accordingly.

Page 42, line 30:

Delete "sec. 38"

Insert "sec. 39"

Page 42, line 31:

Delete "sec. 39"

Insert "sec. 40"

Page 43, line 1:

Delete "sec. 59"

Insert "sec. 60"

Page 43, following line 10:

Insert a new paragraph to read:

"(8) AS 12.55.135(m), as amended by sec. 33 of this Act;"

Renumber the following paragraphs accordingly.

Page 43, line 11:

Delete "sec. 33"

Insert "sec. 34"

Page 43, line 12:

Delete "sec. 34"

Insert "sec. 35"

Page 43, line 13:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 14:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 17:

Delete "SECS. 37 AND 69"

Insert "SECS. 38 AND 70"

Page 43, lines 17 - 18:

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 20:

Delete "Section 69"

Insert "Section 70"

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 24:

Delete "SEC. 66"

Insert "SEC. 67"

Page 43, line 25:

Delete "Section 66"

Insert "Section 67"

Page 44, line 4:

Delete "41"

Insert "42"

Page 44, line 5:

Delete "sec. 72"

Insert "sec. 73"

Delete "sec. 66"

Insert "sec. 67"

Page 44, line 7:

Delete "Section 40"

Insert "Section 41"

Page 44, line 8:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 71(a)"

Insert "sec. 72(a)"

Page 44, line 10:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 71(b)"

Insert "sec. 72(b)"

Page 44, line 12:

Delete "Section 68"

Insert "Section 69"

Page 44, line 13:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 76"

Insert "sec. 77"



Page 44, line 15:

Delete "secs. 73 - 78"

Insert "secs. 74 - 79"

Representative LeDoux moved and asked unanimous consent that Amendment No. 15 be adopted.

Representative Fansler objected.

The question being: "Shall Amendment No. 15 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H

Second Reading

Amendment No. 15

**YEAS: 19 NAYS: 21 EXCUSED: 0 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Johnson, Josephson, Knopp, Kopp, LeDoux, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnston, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

And so, Amendment No. 15 was not adopted.

Amendment No. 16 was offered by Representatives Talerico, Millett, and Eastman:

Page 2, lines 1 - 2:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 2, lines 9 - 10:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 2, lines 25 - 26:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 3, following line 2:

Insert a new bill section to read:

**"\* Sec. 3.** AS 11.46.150(a) is amended to read:

(a) A person commits the crime of theft in the fourth degree if the person commits theft as defined in AS 11.46.100 and the value of the property or services [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$250."

Renumber the following bill sections accordingly.

Page 3, lines 7 - 8:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 3, lines 21 - 22:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 3, lines 29 - 30:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 4, lines 3 - 4:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 4, lines 6 - 7:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 4, lines 9 - 10:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 14 - 15:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 17 - 18:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 20 - 21:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 25 - 26:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 27 - 28:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 4, lines 29 - 30:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 5, lines 4 - 5:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 5, line 8:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 5, line 18:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 5, lines 21 - 22:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 6, line 11:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 6, line 28:

Delete ", adjusted for inflation as provided in AS 11.46.982,"

Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

Page 7, following line 9:

Insert a new bill section to read:

**\*\* Sec. 12.** AS 11.46.486(a) is amended to read:

(a) A person commits the crime of criminal mischief in the fifth degree if, having no right to do so or any reasonable ground to believe the person has such a right,

(1) with reckless disregard for the risk of harm to or loss of the property or with intent to cause substantial inconvenience to another, the person tampers with property of another;

(2) with intent to damage property of another, the person damages property of another in an amount [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] less than \$250; or

(3) the person rides in a propelled vehicle knowing it has been stolen or that it is being used in violation of AS 11.46.360 or 11.46.365(a)(1)."

Renumber the following bill sections accordingly.

Page 7, line 13:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 7, line 16:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 7, line 19:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 7, lines 22 - 23:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 7, lines 24 - 25:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 7, lines 28 - 29:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 8, lines 1 - 2:

Delete ", adjusted for inflation as provided in AS 11.46.982,"  
Insert "[, ADJUSTED FOR INFLATION AS PROVIDED IN  
AS 11.46.982,]"

Page 8, lines 3 - 16:

Delete all material.

Renumber the following bill sections accordingly.

Page 42, line 3, following "**Sec. 67.**":

Insert "AS 11.46.980(d), 11.46.982;"

Page 42, following line 12:

Insert a new paragraph to read:

"(3) AS 11.46.150(a), as amended by sec. 3 of this Act;"

Renumber the following paragraphs accordingly.

Page 42, line 13:

Delete "sec. 3"

Insert "sec. 4"

Page 42, line 14:

Delete "sec. 4"

Insert "sec. 5"

Page 42, line 15:

Delete "sec. 5"

Insert "sec. 6"

Page 42, line 16:

Delete "sec. 6"

Insert "sec. 7"

Page 42, line 17:

Delete "sec. 7"

Insert "sec. 8"

Page 42, line 18:

Delete "sec. 8"

Insert "sec. 9"

Page 42, line 19:

Delete "sec. 9"

Insert "sec. 10"

Page 42, line 20:

Delete "sec. 10"

Insert "sec. 11"

Page 42, following line 20:

Insert a new paragraph to read:

"(12) AS 11.46.486(a), as amended by sec. 12 of this Act;"

Renumber the following paragraphs accordingly.

Page 42, line 21:

Delete "sec. 11"

Insert "sec. 13"

Page 42, line 22:

Delete "sec. 12"

Insert "sec. 14"

Page 42, line 23:

Delete "sec. 13"

Insert "sec. 15"

Representative Talerico moved and asked unanimous consent that Amendment No. 16 be adopted.

Representative Fansler objected.

The question being: "Shall Amendment No. 16 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H

Second Reading

Amendment No. 16

**YEAS: 18 NAYS: 22 EXCUSED: 0 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Johnson, Johnston, Josephson, Knopp, Kopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Thompson, Tilton, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish,

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Seaton, Spohnholz, Stutes, Talerico, Tarr, Tuck, Westlake, Wool

And so, Amendment No. 16 was not adopted.

The Speaker stated that, without objection, Amendment No. 17 would be moved to the bottom of the amendments.

Representative Talerico moved and asked unanimous consent to rescind previous action in failing to adopt Amendment No. 16. There being no objection, it was so ordered.

Representative Gara placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 16 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H  
Second Reading  
Amendment No. 16

**YEAS: 19 NAYS: 21 EXCUSED: 0 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Grenn, Johnson, Johnston, Knopp, Kopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

And so, Amendment No. 16 was not adopted.

Amendment No. 18 was not offered.

Amendment No. 19 was offered by Representatives Wilson, Eastman, Tuck, and Kawasaki:

Page 1, line 4, following "**imprisonment;**" (title amendment):

Insert "**relating to court records concerning sentencing in criminal cases;**"



Page 25, following line 4:

Insert a new bill section to read:

"\* **Sec. 38.** AS 22.35 is amended by adding a new section to read:

**Sec. 22.35.040. Records concerning sentencing in criminal cases.** The Alaska Court System shall publish a court record relating to the sentence imposed upon conviction of a crime in a criminal case on a publicly available website at no cost to the user."

Renumber the following bill sections accordingly.

Page 42, line 30:

Delete "sec. 38"

Insert "sec. 39"

Page 42, line 31:

Delete "sec. 39"

Insert "sec. 40"

Page 43, line 1:

Delete "sec. 59"

Insert "sec. 60"

Page 43, line 13:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 14:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 17:

Delete "69"

Insert "70"

Page 43, line 20:

Delete "Section 69"

Insert "Section 70"

Page 43, line 24:

Delete "SEC. 66"

Insert "SEC. 67"

Page 43, line 25:

Delete "Section 66"

Insert "Section 67"

Page 44, line 4:

Delete "and 41"

Insert "38, and 42"

Page 44, line 5:

Delete "sec. 72"

Insert "sec. 73"

Delete "sec. 66"

Insert "sec. 67"

Page 44, line 7:

Delete "Section 40"

Insert "Section 41"

Page 44, line 8:

Delete "sec. 71(a)"

Insert "sec. 72(a)"

Page 44, line 10:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 71(b)"

Insert "sec. 72(b)"

Page 44, line 12:

Delete "Section 68"

Insert "Section 69"

Page 44, line 13:

Delete "sec. 76"

Insert "sec. 77"

Page 44, line 15:

Delete "secs. 73 - 78"

Insert "secs. 74 - 79"

Representative Wilson moved and asked unanimous consent that Amendment No. 19 be adopted.

Representative Fansler objected.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 5:43 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 7:17 p.m.

#### **SENATE BILLS IN THIRD READING**

(continued)

##### **SB 54**

HCS CSSB 54(FIN) am H was before the House in second reading (page 1948) with Amendment No. 19 moved and pending.

Representative Fansler removed the objection. There being no further objection, Amendment No. 19 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 54(FIN) am H

"An Act relating to crime and criminal law; relating to violation of condition of release; relating to sex trafficking; classifying U-47700 as a schedule IA controlled substance; classifying tramadol and related substances as schedule IVA controlled substances; relating to sentencing; relating to imprisonment; relating to court records concerning sentencing in criminal cases; relating to parole; relating to probation; relating to driving without a license; establishing a maximum caseload for probation and parole officers; relating to the pretrial services program; relating to the Alaska Criminal Justice Commission; relating to the Alaska Judicial Council; and providing for an effective date."

Amendment No. 20 was offered by Representatives Saddler, Birch, Pruitt, Talerico, Kopp, Eastman, Thompson, Chenault, Reinbold, Rauscher, Kawasaki, and Tuck:

Page 7, following line 9:

Insert a new bill section to read:

"\* **Sec. 11.** AS 11.46.486(a) is amended to read:

(a) A person commits the crime of criminal mischief in the fifth degree if, having no right to do so or any reasonable ground to believe the person has such a right,

(1) with reckless disregard for the risk of harm to or loss of the property or with intent to cause substantial inconvenience to another, the person tampers with property of another;

(2) with intent to damage property of another, the person damages property of another in an amount, adjusted for inflation as provided in AS 11.46.982, less than \$250; or

(3) the person rides in a propelled vehicle **and, with criminal negligence, disregards the fact that** [KNOWING] it has been stolen or that it is being used in violation of AS 11.46.360 or 11.46.365(a)(1)."

Renumber the following bill sections accordingly.

Page 42, following line 20:

Insert a new paragraph to read:

"(11) AS 11.46.486(a), as amended by sec. 11 of this Act;"

Renumber the following paragraphs accordingly.

Page 42, line 21:

Delete "sec. 11"

Insert "sec. 12"

Page 42, line 22:

Delete "sec. 12"

Insert "sec. 13"

Page 42, line 23:

Delete "sec. 13"

Insert "sec. 14"

Page 42, line 24:

Delete "sec. 16"

Insert "sec. 17"

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Page 42, line 25:  
Delete "sec. 17"  
Insert "sec. 18"

Page 42, line 26:  
Delete "sec. 18"  
Insert "sec. 19"

Page 42, line 27:  
Delete "sec. 19"  
Insert "sec. 20"

Page 42, line 28:  
Delete "sec. 20"  
Insert "sec. 21"

Page 42, line 29:  
Delete "sec. 23"  
Insert "sec. 24"

Page 42, line 30:  
Delete "sec. 38"  
Insert "sec. 39"

Page 42, line 31:  
Delete "sec. 39"  
Insert "sec. 40"

Page 43, line 1:  
Delete "sec. 59"  
Insert "sec. 60"

Page 43, line 4:  
Delete "sec. 24"  
Insert "sec. 25"

Page 43, line 5:  
Delete "sec. 27"  
Insert "sec. 28"

Page 43, line 6:

Delete "sec. 28"

Insert "sec. 29"

Page 43, line 7:

Delete "sec. 29"

Insert "sec. 30"

Page 43, line 8:

Delete "sec. 30"

Insert "sec. 31"

Page 43, line 9:

Delete "sec. 31"

Insert "sec. 32"

Page 43, line 10:

Delete "sec. 32"

Insert "sec. 33"

Page 43, line 11:

Delete "sec. 33"

Insert "sec. 34"

Page 43, line 12:

Delete "sec. 34"

Insert "sec. 35"

Page 43, line 13:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 14:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 17:

Delete "SECS. 37 AND 69"

Insert "SECS. 38 AND 70"

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Page 43, lines 17 - 18:

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 20:

Delete "Section 69"

Insert "Section 70"

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 24:

Delete "SEC. 66"

Insert "SEC. 67"

Page 43, line 25:

Delete "Section 66"

Insert "Section 67"

Page 44, line 4:

Delete "Sections 23, 24, and 41"

Insert "Sections 24, 25, and 42"

Page 44, line 5:

Delete "sec. 72"

Insert "sec. 73"

Delete "sec. 66"

Insert "sec. 67"

Page 44, line 7:

Delete "Section 40"

Insert "Section 41"

Page 44, line 8:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 71(a)"

Insert "sec. 72(a)"

Page 44, line 10:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 71(b)"  
Insert "sec. 72(b)"

Page 44, line 12:

Delete "Section 68"  
Insert "Section 69"

Page 44, line 13:

Delete "sec. 37"  
Insert "sec. 38"  
Delete "sec. 76"  
Insert "sec. 77"

Page 44, line 15:

Delete "secs. 73 - 78"  
Insert "secs. 74 - 79"

Representative Saddler moved and asked unanimous consent that Amendment No. 20 be adopted.

Representative Fansler objected.

The question being: "Shall Amendment No. 20 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H  
Second Reading  
Amendment No. 20

**YEAS: 21 NAYS: 19 EXCUSED: 0 ABSENT: 0**

Yeas: Birch, Chenault, Eastman, Grenn, Johnson, Johnston, Josephson, Kawasaki, Kopp, LeDoux, Millett, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Guttenberg, Kito, Knopp, Kreiss-Tomkins, Neuman, Ortiz, Parish, Seaton, Spohnholz, Stutes, Westlake, Wilson, Wool

And so, Amendment No. 20 was adopted.



The Speaker stated that, without objection, Amendment No. 21 would be moved to the bottom of the amendments.

Amendment No. 13 was offered by Representatives Tarr and Drummond:

Page 1, following line 9:

Insert a new bill section to read:

"\* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. It is the intent of the legislature that the Alaska Criminal Justice Commission work with the Department of Public Safety and local law enforcement agencies to offer statewide informational sessions on ch. 36, SLA 2016, ch. 13, SLA 2017, and this Act. The informational sessions should include information on crime trends in the state, the cost of the state corrections system, recidivism rates in the state, successful criminal justice reforms in other states, and the specific changes in state law made by ch. 36, SLA 2016, ch. 13, SLA 2017, and this Act that affect sentencing, parole, probation, and treatment."

Page 1, line 10:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 42, line 11:

Delete "sec. 1"

Insert "sec. 2"

Page 42, line 12:

Delete "sec. 2"

Insert "sec. 3"

Page 42, line 13:

Delete "sec. 3"

Insert "sec. 4"

Page 42, line 14:

Delete "sec. 4"

Insert "sec. 5"

Page 42, line 15:  
Delete "sec. 5"  
Insert "sec. 6"

Page 42, line 16:  
Delete "sec. 6"  
Insert "sec. 7"

Page 42, line 17:  
Delete "sec. 7"  
Insert "sec. 8"

Page 42, line 18:  
Delete "sec. 8"  
Insert "sec. 9"

Page 42, line 19:  
Delete "sec. 9"  
Insert "sec. 10"

Page 42, line 20:  
Delete "sec. 10"  
Insert "sec. 11"

Page 42, line 21:  
Delete "sec. 11"  
Insert "sec. 12"

Page 42, line 22:  
Delete "sec. 12"  
Insert "sec. 13"

Page 42, line 23:  
Delete "sec. 13"  
Insert "sec. 14"

Page 42, line 24:  
Delete "sec. 16"  
Insert "sec. 17"

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Page 42, line 25:  
Delete "sec. 17"  
Insert "sec. 18"

Page 42, line 26:  
Delete "sec. 18"  
Insert "sec. 19"

Page 42, line 27:  
Delete "sec. 19"  
Insert "sec. 20"

Page 42, line 28:  
Delete "sec. 20"  
Insert "sec. 21"

Page 42, line 29:  
Delete "sec. 23"  
Insert "sec. 24"

Page 42, line 30:  
Delete "sec. 38"  
Insert "sec. 39"

Page 42, line 31:  
Delete "sec. 39"  
Insert "sec. 40"

Page 43, line 1:  
Delete "sec. 59"  
Insert "sec. 60"

Page 43, line 4:  
Delete "sec. 24"  
Insert "sec. 25"

Page 43, line 5:  
Delete "sec. 27"  
Insert "sec. 28"

Page 43, line 6:

Delete "sec. 28"

Insert "sec. 29"

Page 43, line 7:

Delete "sec. 29"

Insert "sec. 30"

Page 43, line 8:

Delete "sec. 30"

Insert "sec. 31"

Page 43, line 9:

Delete "sec. 31"

Insert "sec. 32"

Page 43, line 10:

Delete "sec. 32"

Insert "sec. 33"

Page 43, line 11:

Delete "sec. 33"

Insert "sec. 34"

Page 43, line 12:

Delete "sec. 34"

Insert "sec. 35"

Page 43, line 13:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 14:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 17:

Delete "SECS. 37 AND 69"

Insert "SECS. 38 AND 70"

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Page 43, lines 17 - 18:

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 20:

Delete "Section 69"

Insert "Section 70"

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 24:

Delete "SEC. 66"

Insert "SEC. 67"

Page 43, line 25:

Delete "Section 66"

Insert "Section 67"

Page 44, line 4:

Delete "Sections 23, 24, and 41"

Insert "Sections 24, 25, and 42"

Page 44, line 5:

Delete "sec. 72"

Insert "sec. 73"

Delete "sec. 66"

Insert "sec. 67"

Page 44, line 7:

Delete "Section 40"

Insert "Section 41"

Page 44, line 8:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 71(a)"

Insert "sec. 72(a)"

Page 44, line 10:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 71(b)"  
Insert "sec. 72(b)"

Page 44, line 12:  
Delete "Section 68"  
Insert "Section 69"

Page 44, line 13:  
Delete "sec. 37"  
Insert "sec. 38"  
Delete "sec. 76"  
Insert "sec. 77"

Page 44, line 15:  
Delete "secs. 73 - 78"  
Insert "secs. 74 - 79"

Representative Tarr moved and asked unanimous consent that Amendment No. 13 be adopted.

Representative Wilson objected and withdrew the objection. There being no further objection, Amendment No. 13 was adopted.

Amendment No. 17 was offered by Representatives Reinbold and Eastman:

Page 6, following line 5:  
Insert a new bill section to read:  
"\* **Sec. 9.** AS 11.46.360(c) is amended to read:  
(c) Vehicle theft in the first degree is a class **B** [C] felony."

Renumber the following bill sections accordingly.

Page 42, following line 18:  
Insert a new paragraph to read:  
"(9) AS 11.46.360(c), as amended by sec. 9 of this Act;"

Renumber the following paragraphs accordingly.

Page 42, line 19:  
Delete "sec. 9"  
Insert "sec. 10"

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Page 42, line 20:  
Delete "sec. 10"  
Insert "sec. 11"

Page 42, line 21:  
Delete "sec. 11"  
Insert "sec. 12"

Page 42, line 22:  
Delete "sec. 12"  
Insert "sec. 13"

Page 42, line 23:  
Delete "sec. 13"  
Insert "sec. 14"

Page 42, line 24:  
Delete "sec. 16"  
Insert "sec. 17"

Page 42, line 25:  
Delete "sec. 17"  
Insert "sec. 18"

Page 42, line 26:  
Delete "sec. 18"  
Insert "sec. 19"

Page 42, line 27:  
Delete "sec. 19"  
Insert "sec. 20"

Page 42, line 28:  
Delete "sec. 20"  
Insert "sec. 21"

Page 42, line 29:  
Delete "sec. 23"  
Insert "sec. 24"

Page 42, line 30:  
Delete "sec. 38"  
Insert "sec. 39"

Page 42, line 31:  
Delete "sec. 39"  
Insert "sec. 40"

Page 43, line 1:  
Delete "sec. 59"  
Insert "sec. 60"

Page 43, line 4:  
Delete "sec. 24"  
Insert "sec. 25"

Page 43, line 5:  
Delete "sec. 27"  
Insert "sec. 28"

Page 43, line 6:  
Delete "sec. 28"  
Insert "sec. 29"

Page 43, line 7:  
Delete "sec. 29"  
Insert "sec. 30"

Page 43, line 8:  
Delete "sec. 30"  
Insert "sec. 31"

Page 43, line 9:  
Delete "sec. 31"  
Insert "sec. 32"

Page 43, line 10:  
Delete "sec. 32"  
Insert "sec. 33"



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Page 43, line 11:

Delete "sec. 33"

Insert "sec. 34"

Page 43, line 12:

Delete "sec. 34"

Insert "sec. 35"

Page 43, line 13:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 14:

Delete "sec. 49"

Insert "sec. 50"

Page 43, line 17:

Delete "SECS. 37 AND 69"

Insert "SECS. 38 AND 70"

Page 43, lines 17 - 18:

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 20:

Delete "Section 69"

Insert "Section 70"

Delete "sec. 37"

Insert "sec. 38"

Page 43, line 24:

Delete "SEC. 66"

Insert "SEC. 67"

Page 43, line 25:

Delete "Section 66"

Insert "Section 67"

Page 44, line 4:

Delete "Sections 23, 24, and 41"

Insert "Sections 24, 25, and 42"

Page 44, line 5:

Delete "sec. 72"

Insert "sec. 73"

Delete "sec. 66"

Insert "sec. 67"

Page 44, line 7:

Delete "Section 40"

Insert "Section 41"

Page 44, line 8:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 71(a)"

Insert "sec. 72(a)"

Page 44, line 10:

Delete "sec. 69"

Insert "sec. 70"

Delete "sec. 71(b)"

Insert "sec. 72(b)"

Page 44, line 12:

Delete "Section 68"

Insert "Section 69"

Page 44, line 13:

Delete "sec. 37"

Insert "sec. 38"

Delete "sec. 76"

Insert "sec. 77"

Page 44, line 15:

Delete "secs. 73 - 78"

Insert "secs. 74 - 79"

Representative Reinbold moved and asked unanimous consent that Amendment No. 17 be adopted.

Representative Fansler objected.

Representative Claman rose to a point of order regarding remarks not being relevant to the amendment.

The Speaker agreed the point was well taken.

Representative Johnson rose to a point of order requesting a citation from Mason's Manual.

The Speaker noted that he encourages a citation, but the point of order was in order because of the explanation.

The question being: "Shall Amendment No. 17 be adopted?" The roll was taken with the following result:

HCS CSSB 54(FIN) am H  
Second Reading  
Amendment No. 17

**YEAS: 8 NAYS: 31 EXCUSED: 1 ABSENT: 0**

Yeas: Chenault, Eastman, Knopp, Neuman, Reinbold, Sullivan-Leonard, Talerico, Tilton

Nays: Birch, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Tarr, Thompson, Tuck, Westlake, Wilson, Wool

Excused: Rauscher

And so, Amendment No. 17 was not adopted.

\*\*The voting record was changed to reflect that Representative Rauscher was excused.

Representative Tuck moved and asked unanimous consent that Representative Rauscher be excused today and that his previous voting record be changed to reflect that he was excused. There being no objection, it was so ordered.

HCS CSSB 54(FIN) am H was automatically in third reading.

The House adjourned.

### **ANNOUNCEMENTS**

Rule 23(d) of the Uniform Rules is in effect.

House committee schedules are published under separate cover.

### **ADJOURNMENT**

Representative Tuck moved and asked unanimous consent that the House adjourn until 9:00 a.m., November 6. There being no objection, the House adjourned at 9:20 p.m.

Crystalline Jones  
Chief Clerk