

AMENDMENT # 2

OFFERED IN THE SENATE
TO: SCS CSHB 66(FIN)

BY SENATOR SHOWER
CLAMAN

1 Page 1, line 9, following "Corrections;":

2 Insert "amending Rules 4 and 5, Alaska Rules of Civil Procedure;"

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4 Page 2, line 12:

5 Delete "sec. 49"

6 Insert "sec. 50"

7

8 Page 29, following line 2:

9 Insert a new bill section to read:

10 **** Sec. 37.** AS 47.30.700 is amended by adding a new subsection to read:

11 (d) A peace officer may take a respondent into custody under (a) of this
12 section only if the ex parte order authorizing the peace officer to take the respondent
13 into custody is transmitted to the peace officer through a distribution method that
14 permits the peace officer to verify that the order originated from a court. If the peace
15 officer receives an order through a distribution method that does not permit the peace
16 officer to verify that the order originated from a court, the peace officer shall contact
17 the court and request that the court transmit the order to the peace officer through a
18 suitable distribution method. The court shall immediately comply. A facsimile
19 transmission from a telephone number, or electronic mail from an electronic mail
20 address, known by the peace officer to belong to a court is sufficient to satisfy this
21 subsection."

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23 Renumber the following bill sections accordingly.

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Page 39, following line 27:

Insert a new bill section to read:

"* Sec. 52. The uncodified law of the State of Alaska is amended by adding a new section to read:

INDIRECT COURT RULE AMENDMENTS. AS 47.30.700(d), enacted by sec. 37 of this Act, has the effect of changing Rules 4 and 5, Alaska Rules of Civil Procedure, by restricting the permissible methods by which a court order may be served on a party."

Renumber the following bill sections accordingly.

Page 41, line 29:

Delete "sec. 49"

Insert "sec. 50"

Page 41, line 30:

Delete "sec. 49"

Insert "sec. 50"

Page 41, line 31:

Delete "sec. 49"

Insert "sec. 50"

Page 42, line 3, following "EFFECT.":

Insert new material to read:

"(a) AS 47.30.700(d), enacted by sec. 37 of this Act, takes effect only if sec. 52 of this Act receives the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State of Alaska.

(b)"

Page 42, line 4:

1 Delete "sec. 49" in both places

2 Insert "sec. 50" in both places

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4 Page 42, line 6:

5 Delete "Section 48"

6 Insert "Section 49"

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8 Page 42, line 7:

9 Delete "sec. 54"

10 Insert "sec. 56"