

ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE

April 19, 2023

4:08 p.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Ben Carpenter
Representative Craig Johnson
Representative David Eastman
Representative Andrew Gray
Representative Cliff Groh

MEMBERS ABSENT

Representative Jamie Allard, Vice Chair

COMMITTEE CALENDAR

HOUSE BILL NO. 68

"An Act relating to sex trafficking; establishing the crime of patron of a victim of sex trafficking; relating to the crime of human trafficking; relating to prostitution; relating to sentencing for sex trafficking, patron of a victim of sex trafficking, and human trafficking; establishing the process for vacating judgments for certain convictions of prostitution and misconduct involving a controlled substance; relating to the Council on Domestic Violence and Sexual Assault; relating to permanent fund dividends for certain individuals whose convictions are vacated; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 68

SHORT TITLE: CRIME OF SEX/HUMAN TRAFFICKING

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

| | | |
|----------|-----|---------------------------------|
| 02/08/23 | (H) | READ THE FIRST TIME - REFERRALS |
| 02/08/23 | (H) | JUD, FIN |
| 03/10/23 | (H) | JUD AT 1:00 PM GRUENBERG 120 |
| 03/10/23 | (H) | Heard & Held |
| 03/10/23 | (H) | MINUTE(JUD) |
| 03/20/23 | (H) | JUD AT 1:00 PM GRUENBERG 120 |
| 03/20/23 | (H) | Heard & Held |

03/20/23 (H) MINUTE (JUD)
03/22/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/22/23 (H) -- MEETING CANCELED --
03/24/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/24/23 (H) Heard & Held
03/24/23 (H) MINUTE (JUD)
03/27/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/27/23 (H) Scheduled but Not Heard
03/31/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/31/23 (H) Scheduled but Not Heard
04/03/23 (H) JUD AT 1:00 PM GRUENBERG 120
04/03/23 (H) -- MEETING CANCELED --
04/12/23 (H) JUD AT 1:00 PM GRUENBERG 120
04/12/23 (H) Heard & Held
04/12/23 (H) MINUTE (JUD)
04/17/23 (H) JUD AT 1:00 PM GRUENBERG 120
04/17/23 (H) -- MEETING CANCELED --
04/19/23 (H) JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

KACI SCHROEDER, Assistant Attorney General
Criminal Division, Department of Law
Juneau, Alaska

POSITION STATEMENT: Presented amendments to the proposed CS for
HB 68, Version S.

NANCY MEADE, General Counsel
Alaska Court System
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on
the proposed CS for HB 68, Version S.

ACTION NARRATIVE

[4:08:06 PM](#)

CHAIR SARAH VANCE called the House Judiciary Standing Committee meeting to order at 4:08 p.m. Representatives Carpenter, C. Johnson, Eastman, Gray, Groh, and Vance were present at the call to order.

HB 68-CRIME OF SEX/HUMAN TRAFFICKING

[4:08:35 PM](#)

CHAIR VANCE announced that the only order of business would be HOUSE BILL NO. 68, "An Act relating to sex trafficking; establishing the crime of patron of a victim of sex trafficking; relating to the crime of human trafficking; relating to prostitution; relating to sentencing for sex trafficking, patron of a victim of sex trafficking, and human trafficking; establishing the process for vacating judgments for certain convictions of prostitution and misconduct involving a controlled substance; relating to the Council on Domestic Violence and Sexual Assault; relating to permanent fund dividends for certain individuals whose convictions are vacated; and providing for an effective date." [Before the committee, adopted as the work draft on 04/12/23, was the proposed committee substitute (CS) for HB 68, Version 33-GH1029\S, Radford, 4/11/23, ("Version S").]

[4:09:04 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 1 to HB 68, Version S, labeled 33-GH1029\S.1, Radford, 4/1/23, which read:

Page 7, line 19:
Delete all material.

Page 7, line 20:
Delete "**Sec. 11.66.108. Persons exempt from prosecution.**"
Insert "(b)"

Page 7, line 21:
Delete "AS 11.66.101 - 11.66.106"
Insert "this section"

Page 8, line 23:
Delete "(a)(1)"
Insert "(a)"

Page 8, following line 26:
Insert a new subsection to read:
"(c) Prostitution in the fourth degree is a class B misdemeanor."

Page 9, following line 3:
Insert new bill sections to read:
"*** Sec. 14.** AS 11.66.150(2) is amended to read:

(2) "place of prostitution" means any place where a person, other than a proprietor of the place, engages in sexual conduct in return for a fee;

* **Sec. 15.** AS 11.66.150 is amended by adding a new paragraph to read:

(5) "fee" does not include payment for reasonably apportioned shared expenses of a residence."

Renumber the following bill sections accordingly.

Page 11, lines 2 - 3:

Delete all material.

Renumber the following paragraphs accordingly.

Page 11, lines 6 - 7:

Delete all material.

Renumber the following paragraphs accordingly.

Page 11, lines 13 - 14:

Delete all material.

Renumber the following paragraph accordingly.

Page 21, line 9, following "AS 12.63.100":

Insert "and includes a crime, or an attempt, solicitation, or conspiracy to commit a crime, under AS 11.41.440(a)(1)"

Page 32, line 30:

Delete "11.66.150"

Insert "11.66.150(1)"

Page 33, line 12:

Delete "AS 11.66.101 - 11.66.108"

Insert "AS 11.66.101 - 11.66.106"

Page 33, following line 14:

Insert new paragraphs to read:

"(11) AS 11.66.150(2), as amended by sec. 14 of this Act;

(12) AS 11.66.150(5), enacted by sec. 15 of this Act;"

Renumber the following paragraphs accordingly.

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 16"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 17"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 18"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 19"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 20"

Page 33, line 20:
Delete "sec. 36"
Insert "sec. 38"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 22"

Page 33, line 24:
Delete "sec. 21"
Insert "sec. 23"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 24"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 25"

Page 33, line 27:
Delete "sec. 24"
Insert "sec. 26"

Page 33, line 28:
Delete "sec. 25"

Insert "sec. 27"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 28"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 29"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 30"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 35"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 36"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 36"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 37"

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 49"
Delete "sec. 35"
Insert "sec. 37"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 37 and 49"

Page 34, line 8 :
Delete "sec. 35"
Insert "sec. 37"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 37"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 21"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 31"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 32"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 33"

Page 34, line 18:
Delete "sec. 32"
Insert "sec. 34"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 40"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 42"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 43"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 44"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 45"

Page 34, lines 24 - 29:
Delete all material.

ReNUMBER the following bill sections accordingly.

Page 34, line 30:

Delete "Sections 35 and 47"
Insert "Sections 37 and 49"

Page 34, line 31:
Delete "sec. 60"
Insert "sec. 61"

REPRESENTATIVE EASTMAN objected for the purpose of discussion.

[4:09:16 PM](#)

CHAIR VANCE invited Ms. Schroeder to speak to Amendment 1.

[4:09:37 PM](#)

KACI SCHROEDER, Assistant Attorney General, Criminal Division, Department of Law (DOL), explained that Amendment 1 cleaned up a cross-reference error on page 8 of the bill and moved the definition of "place of prostitution" into a new prostitution series under the definition section of AS 11.66.

[4:11:59 PM](#)

The committee took a brief at-ease.

[4:12:29 PM](#)

MS. SCHROEDER resumed the explanation of Amendment 1, explaining that the proposed amendment would conform the definitions of "sex offense" to match; clean up the repealer section; amend the cross-references to the prostitution statutes to correct a drafting error; incorporate the definitions sections for the prostitution series of offenses in the applicability section; amend the sections citations in the applicability section; and delete unnecessary material on page 34 of the bill.

[4:14:59 PM](#)

REPRESENTATIVE GRAY directed attention to page 1, lines 4-6 of Amendment 1, and sought to confirm that people would still be exempt from prosecution.

MS. SCHROEDER confirmed that the exemption language was being moved to a different subsection.

[4:15:41 PM](#)

REPRESENTATIVE EASTMAN asked which changes in Amendment 1 were substantive. Additionally, he asked why the "place of prostitution" definition was being changed.

MS. SCHROEDER assured the committee that the language in its entirety reflected the intent of the bill. She added that in order to maintain the intent and amend current law, the language [in Amendment 1] was bolded and underlined.

REPRESENTATIVE EASTMAN asked Ms. Schroeder to highlight the substantive changes in Amendment 1.

MS. SCHROEDER stated that all changes in Amendment 1 were drafting and cleanup changes.

[4:16:54 PM](#)

REPRESENTATIVE GRAY inquired about the language "other than a proprietor of the place" in the definition of "place of prostitution."

MS. SCHROEDER explained that if a sex worker was operating out of his/her apartment, the apartment would not qualify as a place of prostitution.

[4:17:48 PM](#)

REPRESENTATIVE EASTMAN contended that the definition of "place of prostitution" did not appear to exclude one's apartment. He sought further clarification.

MS. SCHROEDER read the definition, reiterating that a residence would not be considered a place of prostitution if it was owned by the resident or residents.

REPRESENTATIVE EASTMAN sought to confirm that a vehicle would be a place of prostitution if someone other than the owner of the vehicle was engaging in sexual conduct [inside the vehicle].

MS. SCHROEDER confirmed; however, she clarified that if a person were to loan his/her vehicle out without any reason to expect sexual conduct to occur, that individual would not be subject to prosecution.

[4:20:12 PM](#)

REPRESENTATIVE EASTMAN removed his objection. There being no further objection, Amendment 1 to HB 68, Version S, was adopted.

[4:20:34 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 2 to HB 68, Version S, as amended, labeled 33-GH1029\S.2, Radford, 4/15/23, which read:

Page 5, lines 12 - 16:
Delete all material.

REPRESENTATIVE EASTMAN objected for the purpose of discussion.

[4:20:47 PM](#)

MS. SCHROEDER explained that Amendment 2 deleted the language on page 5, lines 12-16, related to corroboration of certain testimony. She expounded, providing the historical context of required corroboration of a sex worker's testimony. She clarified that under current law, corroboration was generally not required with the exception of accomplice testimony. If the committee were to adopt Amendment 2, she said, it was not the committee's intent to revert back to the law when Johnson v. State was decided.

[4:24:22 PM](#)

REPRESENTATIVE GRAY sought to verify that the language being deleted was duplicative, as the law had already been changed and corroboration was not required. He asked why removing the duplicative language could imply a desire to revert back to the previous law.

MS. SCHROEDER said, "Sometimes, when the legislature makes changes to the law, the court thinks that the legislature intended to make a change." For that reason, she said she wanted to make it clear that the intent was to remove duplicative language, as opposed to changing the law.

[4:25:55 PM](#)

REPRESENTATIVE GRAY inquired about the harm of leaving the language intact.

MS. SCHROEDER responded that there was no harm other than causing for questions and distraction.

CHAIR VANCE shared her understanding that this particular statute had caused confusion because it was applicable in other sections of law.

MS. SCHROEDER clarified that, as drafted, the provision was only applicable to sex trafficking statutes; nonetheless, she characterized the language as unusual. She reiterated that DOL would take no issue if the legislature decided to remove the language; however, she wanted to ensure that the record was clear.

CHAIR VANCE questioned the will of the committee.

[4:26:44 PM](#)

REPRESENTATIVE EASTMAN conveyed that he was inclined to leave the language in for the sake of clarity.

REPRESENTATIVE GROH shared his understanding that, per Ms. Schroeder's explanation, the archaic legal statements included damaging stereotypes and "extremely unfortunate" views on the law. He said he was inclined to follow the legal advice on the best way to proceed to disassociate from the archaic and unfortunate past views.

REPRESENTATIVE GRAY expressed his confusion. He asked whether the legal advice was to remove the language or keep it in statute.

MS. SCHROEDER reiterated that DOL viewed the language as archaic and outdated. If the committee chose to remove it, she said, the department would consider it a cleanup change, as long as the legislative intent was clear. She noted that leaving the language intact "wouldn't be a deal breaker either."

REPRESENTATIVE CARPENTER requested an opinion from Legislative Legal Services.

[4:29:43 PM](#)

The committee took an at-ease from 4:29 p.m. to 4:35 p.m.

[4:35:21 PM](#)

CHAIR VANCE invited Ms. Meade to speak to Amendment 2.

[4:35:50 PM](#)

NANCY MEADE, General Counsel, Alaska Court System, concurred with Ms. Schroeder that keeping the provision in statute was confusing and unnecessary. Furthermore, she agreed that removing the language would be viewed as a cleanup change. She stated that now, the record was abundantly clear that the intention was not to revert back to requiring corroboration.

[4:36:35 PM](#)

REPRESENTATIVE EASTMAN asked whether there was "something special" about this type of witness testimony.

MS. MEADE responded that there was nothing special about this kind of witness testimony. She added that removing the language would bring these types of cases more in line with all other criminal cases.

REPRESENTATIVE CARPENTER expressed his satisfaction with the agencies' responses.

REPRESENTATIVE EASTMAN removed his objection. There being no further objection, Amendment 2 to HB 68, Version S, as amended, was adopted.

[4:37:46 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 3 to HB 68, Version S, as amended, labeled 33-GH1029\S.3, Radford, 4/17/23, which read:

Page 7, line 14:

Delete ", whether the intended recipient is the person or someone else"

Page 8, line 31, through page 9, line 3:

Delete all material.

Renumber the following bill sections accordingly.

Page 23, line 21:

Delete "20"

Insert "21"

Page 25, line 15, following "violence":

Insert ", sex trafficking,"

Page 33, line 14:
Delete all material.

Renumber the following paragraphs accordingly.

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 13"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 14"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 15"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 16"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 17"

Page 33, line 20:
Delete "sec. 36"
Insert "sec. 35"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 19"

Page 33, line 24:
Delete "sec. 21"
Insert "sec. 20"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 21"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 22"

Page 33, line 27:

Delete "sec. 24"
Insert "sec. 23"

Page 33, line 28:
Delete "sec. 25"
Insert "sec. 24"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 25"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 26"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 27"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 32"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 33"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 33"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 46"
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 34 and 46"

Page 34, line 8:
Delete "sec. 35"

Insert "sec. 34"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 18"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 28"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 29"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 30"

Page 34, line 18:
Delete "sec. 32"
Insert "sec. 31"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 37"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 39"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 40"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 41"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 42"

Page 34, lines 24 - 29:

Delete all material.

Renumber the following bill sections accordingly.

Page 34, line 30:

Delete "Sections 35 and 47"

Insert "Sections 34 and 46"

Page 34, line 31:

Delete "sec. 60"

Insert "sec. 58"

REPRESENTATIVE EASTMAN objected for the purpose of discussion.

[4:38:09 PM](#)

MS. SCHROEDER explained that Amendment 3 deleted superfluous language; changed a reference to one of the military justice statutes and raised the age from 20-21 by request of the chair; and added sex trafficking for victims' services to the Council on Domestic Violence and Sexual Assault (CDVSA) statutes to allow these services to receive grants.

REPRESENTATIVE CARPENTER inquired about the deleted language on page 6, line 8 of Amendment 3.

MS. SCHROEDER said it was the same language deleted in Amendment 1 pertaining to prior court records.

[4:41:08 PM](#)

REPRESENTATIVE GRAY inquired about the deleted material on page 1, lines 4-5 of Amendment 3.

CHAIR VANCE explained that another section dealt with property and resources going to victims of sex trafficking. She explained that the change was correcting a miscommunication with Legislative Legal Services. She directed attention to page 1, lines 9-11 of Amendment 3, explaining that increasing the age from 20 to 21 was to maintain consistency, as last year, the age of missing persons was raised from 18 to 21.

[4:43:35 PM](#)

REPRESENTATIVE EASTMAN questioned the status of the CDVSA's relationship to sex trafficking if Amendment 3 were to pass.

CHAIR VANCE said the council would be allowed to distribute grants for victims of sex trafficking, as the Governor's Council on Human and Sex Trafficking was unable to do so. She acknowledged that in Version S, the council was prohibited from expanding its authority to sex trafficking; nonetheless, she said she wasn't ready to remove the section that authorized the council to distribute funds until another solution was found, as the CDVSA already had the necessary funding structure in place.

[4:45:07 PM](#)

REPRESENTATIVE EASTMAN maintained his objection to Amendment 3.

[4:45:17 PM](#)

A roll call vote was taken. Representatives Carpenter, C. Johnson, Gray, Groh, and Vance voted in favor of the motion to adopt Amendment 3 to HB 68, Version S, as amended. Representative Eastman voted against it. Therefore, Amendment 3 was adopted a vote of 5-1.

[4:45:55 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 4 to HB 68, Version S, as amended, labeled 33-GH1029\S.5, Radford, 4/18/34, which read:

Page 2, line 6:

Delete "11.41.355"

Insert "11.41.357"

Page 4, following line 9:

Insert a new section to read:

"Sec. 11.41.357. Inducing or causing a person to engage in a commercial sexual act. For purposes of AS 11.41.340 - 11.41.355, a person induces or causes another person to engage in a commercial sexual act including by

(1) exposing or threatening to expose confidential information or a secret, whether true or false, that would subject a person to hatred, contempt, or ridicule;

(2) destroying, concealing, or threatening to destroy or conceal an actual or purported passport or immigration document or another actual or purported identification document of any person;

(3) threatening to report a person to a government agency for the purpose of arrest or deportation;

(4) threatening to collect a debt;

(5) instilling in a person a fear that lodging, food, clothing, or medication will be withheld from any person;

(6) providing a controlled substance to or withholding a controlled substance from the other person; or

(7) engaging in deception as defined in AS 11.81.900(b)."

Page 4, line 11, following "if":

Insert ", under circumstances not proscribed under AS 11.41.340 - 11.41.357,"

Page 4, lines 21 - 29:

Delete all material and insert:

"* Sec. 7. AS 11.41.365 is amended to read:

Sec. 11.41.365. Human trafficking in the second degree. (a) A person commits the crime of human trafficking in the second degree if, under circumstances not proscribed under AS 11.41.340 - 11.41.357, and with the intent to promote human trafficking, the person induces or causes another person to engage in adult entertainment or labor by

(1) exposing or threatening to expose confidential information or a secret, whether true or false, tending to subject a person to hatred, contempt, or ridicule;

(2) destroying, concealing, or threatening to destroy or conceal an actual or purported passport or immigration document or another actual or purported identification document of any person;

(3) threatening to report a person to a government agency for the purpose of arrest or deportation;

(4) threatening to collect a debt;

(5) instilling in a person a fear that lodging, food, clothing, or medication will be withheld from any person;

(6) providing a controlled substance to or withholding a controlled substance from the other person; or

(7) engaging in deception as defined in AS 11.81.900(b) [OBTAINS A BENEFIT FROM THE COMMISSION

OF HUMAN TRAFFICKING UNDER AS 11.41.360, WITH RECKLESS DISREGARD THAT THE BENEFIT IS A RESULT OF THE TRAFFICKING].

(b) Human trafficking in the second degree is a class A [B] felony."

Page 5, line 21:

Delete "11.41.355"

Insert "11.41.357"

Page 5, line 23, through page 6, line 9:

Delete all material.

Renumber the following bill sections accordingly.

Page 25, line 9:

Delete "11.41.355"

Insert "11.41.357"

Page 31, line 4:

Delete "11.41.355"

Insert "11.41.357"

Page 32, line 24:

Delete "11.41.355"

Insert "11.41.357"

Page 33, line 5:

Delete "11.41.355"

Insert "11.41.357"

Page 33, line 10:

Delete all material.

Renumber the following paragraphs accordingly.

Page 33, line 11:

Delete "sec. 10"

Insert "sec. 9"

Page 33, line 12:

Delete "sec. 11"

Insert "sec. 10"

Page 33, line 13:

Delete "sec. 12"

Insert "sec. 11"

Page 33, line 14:
Delete "sec. 13"
Insert "sec. 12"

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 13"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 14"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 15"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 16"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 17"

Page 33, line 20:
Delete "sec. 36"
Insert "sec. 35"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 19"

Page 33, line 24:
Delete "sec. 21"
Insert "sec. 20"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 21"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 22"

Page 33, line 27:
Delete "sec. 24"

Insert "sec. 23"

Page 33, line 28:
Delete "sec. 25"
Insert "sec. 24"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 25"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 26"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 27"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 32"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 33"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 33"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 46"
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 34 and 46"

Page 34, line 8:
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 34"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 18"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 28"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 29"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 30"

Page 34, line 18:
Delete "sec. 32"
Insert "sec. 31"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 37"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 39"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 40"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 41"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 42"

Page 34, line 27:
Delete "sec. 35"

Insert "sec. 34"

Page 34, line 28:

Delete "sec. 35"

Insert "sec. 34"

Page 34, line 30:

Delete "Sections 35 and 47"

Insert "Sections 34 and 46"

Page 34, line 31:

Delete "sec. 60"

Insert "sec. 59"

REPRESENTATIVE EASTMAN objected for the purpose of discussion.

MS. SCHROEDER explained that Amendment 4 returned the factors of inducing or causing - as it appeared in the original version of the bill - as an element of the offense for human trafficking and as a descriptor for sex trafficking.

[4:48:50 PM](#)

REPRESENTATIVE EASTMAN sought to understand the reason for the deleted material on page 3, lines 5-6 of Amendment 4.

MS. SCHROEDER explained that it was deleting the consolidated list of factors.

REPRESENTATIVE EASTMAN inquired about the deleted material on page 33 of the bill.

MS. SCHROEDER said it was a cross-reference to language that no longer existed due to movement.

REPRESENTATIVE EASTMAN, referencing page 1, lines 1-3 of Amendment 4, asked where to find Section 11.41.357 in Version S.

CHAIR VANCE explained that Section 11.41.357 was created in Amendment 4 and therefore, had not been inserted into the CS yet. She thanked Legislative Legal Services and DOL for their flexibility with conforming changes and attention to detail.

[4:51:59 PM](#)

REPRESENTATIVE EASTMAN removed his objection. There being no further objection, Amendment 4 to HB 68, Version S, as amended, was adopted.

[4:52:15 PM](#)

CHAIR VANCE explained two forthcoming amendments: one providing for an educational component to address online dangers and expand on training for sexual assault to include sex trafficking; another revoking professional licenses upon a conviction of sex trafficking. She requested the committee's perspective on a lifetime revocation of a professional license for "trusted positions," such as physicians and counselors, upon the conviction of a sex trafficking offense.

REPRESENTATIVE EASTMAN suggested that the prison sentence should match the lifetime revocation if the offender could no longer work in his/her field of work. Otherwise, he said, that person would be pushed in the direction of working illegally.

[4:57:16 PM](#)

REPRESENTATIVE GRAY shared his understanding that most professional licensing applications asked whether the applicant had been convicted of a felony; consequently, a convicted sex trafficker who tried to renew his/her license would be denied. For that reason, he wondered whether the provision was duplicative. He requested verification [from the department] as to whether that was true. He shared a personal anecdote.

CHAIR VANCE shared her understanding that not all professional boards required applicants to disclose a felony conviction. She suggested that the committee could at minimum, require convicted sex traffickers to disclose their conviction to the board if members felt a lifetime revocation was too harsh.

REPRESENTATIVE CARPENTER said he was hesitant to speculate on something that was not before [the committee]. He added that he would prefer to have the conversation when the amendment was drafted, rather than "wax philosophical" without having something before the committee.

CHAIR VANCE stated that before directing the drafter to do more work that may not be fruitful, she wanted to gain insight on the will of the committee.

REPRESENTATIVE CARPENTER remarked, "If it's worth asking the question now, it's worth asking them to draft it, so that we can communicate on it with it sitting in front of us."

REPRESENTATIVE EASTMAN agreed with Representative Carpenter. In regard to all the criminal bills before the committee, he expressed a desire to see a "line of demarcation" so that when a person pays his/her debt to society, that person can enjoy to the maximum extent possible, the freedoms of being an Alaskan resident. Further, he argued that the individual should be encouraged to become a productive member of society, rather than a permanent criminal.

[5:02:14 PM](#)

REPRESENTATIVE GRAY considered an example of a pathologist who does not interact with people, suggesting that there could be exceptions to the rule [of lifetime revocation]. He suggested that judgement could be made on a case-by-case basis by the professional board that issues the license, as opposed to the legislature making a blanket statement on certain professions.

REPRESENTATIVE C. JOHNSON opined that a person who had done something so egregious to lose his/her license for life should be locked away for a "long, long time." He shared the example of a bus driver who was convicted of a crime, adding that "there's a balance in there on the severity of the crime for me."

CHAIR VANCE thanked the committee for the discussion and announced that HB 68, Version S, as amended, was held over.

[5:06:05 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 5:06 p.m.