

1 IN THE SENATE

BY SENATOR SNIDER

2 SUBSTITUTE FOR SENATE BILL NO. 40

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to amend Section 40-3-20 ACLA
7 1949, as amended by Chapter 26, Session
8 Laws of Alaska 1951, relating to
9 penalties under the provisions of the
10 Uniform Narcotic Drug Act; and declaring
11 an emergency."

12 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

13 Section 1. Section 40-3-20 ACLA 1949, as amended by Chapter
14 26, Session Laws of Alaska 1951, is hereby amended to read as
15 follows:

16 Section 40-3-20. Penalties. Whoever violates any
17 provision of this Act shall upon conviction be fined not
18 more than \$5,000.00 and be imprisoned not less than two or
19 more than five years. For a second offense, or, if, in case
20 of a first conviction of violation of any provision of this
21 Act, the offender shall previously have been convicted of
22 any violation of the laws of the United States or of any
23 other state, territory or district relating to narcotic
24 drugs (OR MARIHUANA), the offender shall be fined not more
25 than \$7,500.00 and be imprisoned not less than five or more
26 than ten years. For a third or subsequent offense, or if
27 the offender shall previously have been convicted two or
28 more times in the aggregate of any violation of the laws of
29 the United States or of any other state, territory or

1 district, relating to narcotic drugs (OR MARIHUANA), the
2 offender shall be fined not more than \$10,000.00 and be
3 imprisoned not less than ten nor more than twenty years.

4 The minimum and maximum penalties provided for herein
5 shall be doubled where the offender is convicted for the
6 sale of narcotic drugs in violation of this Act, and this
7 shall be so whether prior convictions, if any, were for
8 illegal sale of narcotic drugs or for other violations of
9 this Act or of the laws of the United States or of any
10 other state, territory or district relating to narcotic
11 drugs; provided, that where the offender is convicted for
12 the sale of narcotic drugs in violation of this Act, and
13 the offender shall previously have been convicted ^{two} three or
14 more times in the aggregate for any violation of this Act
15 or of the laws of the United States or of any other state,
16 territory or district relating to narcotic drugs, the
17 offender shall be sentenced to be hanged by the neck until
18 dead.) *Life imprisonment at hard labor*

19 Except in the case of conviction for a first offense
20 for violation of the provisions of this Act, where such
21 first offense was other than the illegal sale of narcotic
22 drugs, the imposition or execution of sentence shall not
23 be suspended and probation or parole shall not be granted
24 until the minimum imprisonment herein provided for the
25 offense shall have been served.

26 Section 2. An emergency is hereby declared to exist, and
27 this Act shall take effect immediately upon its passage and
28 approval.
29

SB #40 page 2 Line 13

delete the word "three" and insert the word "two"

SB #40 page 2 Line 17

delete "be hanged by the neck until dead" and insert
"life imprisonment at hard labor"
