

Offered: 3/18/64
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SCS FOR HOUSE BILL NO. 336

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide a method of sentencing,
7 probation and parole of persons convicted
8 of felonies; and providing for an effec-
9 tive date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 06.05.490 is amended to read:

12 Sec. 06.05.490. RECEIPT OF DEPOSITS WHILE INSOLVENT.

13 The director, officer, or employee of any bank who fraudu-
14 lently receives any deposit, knowing that the bank is in-
15 solvent, is guilty of a felony and upon conviction is punish-
16 able by a fine of not more than \$5,000, or by imprisonment
17 for not less than one year nor more than three years, or by
18 both.

19 * Sec. 2. AS 06.05.515 is amended to read:

20 Sec. 06.05.515. SLANDER AND LIBEL OF BANK. Any person
21 who wilfully and maliciously makes, circulates or transmits
22 to another any statement, rumor or suggestion, written,
23 printed or by word of mouth, which is directly or by impli-
24 cation derogatory to the financial condition or affects the
25 solvency or financial standing of any bank, or trust company
26 doing business in the state, or who counsels, aids, procures
27 or induces another to start, transmit or circulate such a
28 statement or rumor, is guilty of a felony, and upon convic-
29 tion is punishable by a fine of not more than \$5,000, or by

1 imprisonment for not less than one year nor more than five
2 years, or by both.

3 * Sec. 3. AS 11.05.060 is repealed and re-enacted to read:

4 Sec. 11.05.060. INDETERMINATE SENTENCE. Courts im-
5 posing prison sentences for felonies shall sentence the de-
6 fendant to the minimum and maximum term of imprisonment pro-
7 vided by law.

8 If a defendant is sentenced for two or more separate
9 felonies, his sentence may equal, but shall not exceed, the
10 aggregate of the maximum term of imprisonment of all felonies
11 for which he is sentenced.

12 If through oversight or otherwise, a sentence of im-
13 prisonment should be for other than the minimum and maximum
14 term of imprisonment as provided by law, it shall not become
15 void, but the defendant shall be subject to the liabilities
16 provided by law as if he had been sentenced in the manner
17 required by this section.

18 * Sec. 4. AS 11.05.150 is repealed.

19 * Sec. 5. AS 11.15.010 is amended to read:

20 Sec. 11.15.010. FIRST DEGREE MURDER. A person who,
21 being of sound memory and discretion, purposely, and either
22 of deliberate and premeditated malice or by means of poison,
23 or in perpetrating or in attempting to perpetrate, rape,
24 arson, robbery, or burglary, kills another, is guilty of
25 murder in the first degree, and shall be sentenced to im-
26 prisonment for life. [IS PUNISHABLE BY IMPRISONMENT AT
27 HARD LABOR FOR LIFE OR FOR ANY TERM OF YEARS.] The im-
28 position or execution of sentence shall not be suspended.

29 * Sec. 6. AS 11.15.020 is amended to read:

1 Sec. 11.15.020. OBSTRUCTING OR INJURING RAILROAD OR
2 AIRCRAFT. A person who maliciously (1) places an obstruction
3 upon a railroad or street railroad, or displaces or injures
4 anything appertaining to a railroad or street railroad, or
5 **does** any other act with intent to endanger the passage of a
6 locomotive or car, and thereby occasions the death of another
7 or (2) causes or attempts to cause damage or injury to, or
8 places obstruction or explosive material on, in or about an
9 aircraft, or who commits any other act with intent to en-
10 danger the safety of flight, operation or passage of an air-
11 craft and thereby occasions or implements the death of
12 another, is guilty of murder in the first degree, and shall
13 be sentenced to imprisonment for life. [IS PUNISHABLE BY
14 IMPRISONMENT AT HARD LABOR FOR LIFE OR FOR ANY TERM OF YEARS.
15 The imposition or execution of sentence shall not be sus-
16 pended.

17 * Sec. 7. AS 11.15.030 is amended to read:

18 Sec. 11.15.030. SECOND DEGREE MURDER. Except as pro-
19 vided in secs. 10 and 20 of this chapter, a person who pur-
20 posely and maliciously kills another is guilty of murder in
21 the second degree, and shall be imprisoned in the peniten-
22 tiary for a term of not less than 15 years to life. The im-
23 position or execution of sentence shall not be suspended.

24 * Sec. 8. AS 11.15.040 is amended to read:

25 Sec. 11.15.040. MANSLAUGHTER. Except as provided in
26 secs. 10 - 30 of this chapter, a person who unlawfully kills
27 another is guilty of manslaughter, and is punishable by
28 imprisonment in the penitentiary for not less than one year
29 nor more than 20 years. [NOR LESS THAN ONE YEAR.]

1 * Sec. 9. AS 11.15.280 is amended to read:

2 Sec. 11.15.280. RECEIVING, POSSESSING OR DISPOSING OF
3 RANSOM. A person who receives, possesses or disposes of
4 money or other property or a portion of it which at any time
5 has been delivered as ransom or reward in connection with a
6 kidnapping under sec. 260 of this chapter, knowing it to be
7 money or property delivered as ransom or reward, is punish-
8 able by a fine of not more than \$10,000 or by imprisonment
9 for not less than one year nor more than 10 years, or by both.

10 * Sec. 10. AS 11.20.080 is amended to read:

11 Sec. 11.20.080. BURGLARY IN DWELLING HOUSE. A person
12 who breaks and enters a dwelling house with intent to commit
13 a crime in it, or having entered with that intent, breaks a
14 dwelling house or is armed with a dangerous weapon in it, or
15 assaults a person lawfully in it, is guilty of burglary, and
16 upon conviction is punishable by imprisonment in the peniten-
17 tiary for not less than one year nor more than 10 years.
18 However, if the burglary is committed at nighttime, it shall
19 be punishable by imprisonment for not less than one year nor
20 more than 15 years. [THE MAXIMUM PENALTY IS 15 YEARS.] If
21 a human being is within the dwelling at the time of the burg-
22 lary during the nighttime or daytime, it shall be punishable
23 by imprisonment for not less than one year nor more than 20
24 years. [THE MAXIMUM PENALTY IS 20 YEARS.]

25 * Sec. 11. AS 11.20.350 is amended to read:

26 Sec. 11.20.350. BUYING, RECEIVING OR CONCEALING STOLEN
27 PROPERTY. A person who buys, receives or conceals money,
28 goods, bank notes, or other thing which may be the subject of
29 larceny and which has been taken, embezzled or stolen from

1 another person, knowing it to have been taken, embezzled or
2 stolen, is punishable by a fine of not more than \$1,000 and
3 by imprisonment [AT HARD LABOR] for not less than one year
4 nor more than three years.

5 * Sec. 12. AS 11.30.090 is amended to read:

6 Sec. 11.30.090. ESCAPE FROM CUSTODY OR CONFINEMENT. A
7 person who escapes or attempts to escape from the custody of
8 a peace officer under a lawful arrest or from a jail or in-
9 stitution in which he is detained by a peace officer or con-
10 fined by direction of a court in this state or from custody
11 under process issued by a court in this state is punishable,

12 (1) if the custody or confinement is by an arrest
13 on a charge of a felony, or conviction of a felony, by a fine
14 of not more than \$5,000, or by imprisonment for not less than
15 one year nor more than three years, or by both; or

16 (2) if the custody or confinement is for extra-
17 dition, or by an arrest, or charge of, or conviction of a
18 misdemeanor, by a fine of not more than \$1,000, or imprison-
19 ment for not more than one year, or by both.

20 * Sec. 13. AS 11.30.250 is amended to read:

21 Sec. 11.30.250. ACT OF OFFICER HAVING CUSTODY. An
22 officer having custody of a record, map, or book, or a paper
23 or proceeding of a court, filed or deposited in a public
24 office, or placed in his hands for any purpose, who is guilty
25 of stealing, wilfully destroying, mutilating, defacing,
26 altering or falsifying, removing or secreting the whole or a
27 part of the record, map, book, paper, or proceeding, or who
28 permits another person to do so, is punishable by imprison-
29 ment in the penitentiary for not less than one year nor more

1 than five years, or by a fine of not more than \$5,000, or by
2 both.

3 * Sec. 14. AS 11.30.260 is amended to read:

4 Sec. 11.30.260. ACT OF PERSON NOT OFFICER. A person
5 not an officer referred to in sec. 250 of this chapter, who
6 is guilty of the acts specified in sec. 250 of this chapter,
7 is punishable by imprisonment in the penitentiary for not
8 less than one year nor more than three years, or by a fine of
9 not more than \$2,000, or by both.

10 * Sec. 15. AS 11.30.270. is amended to read:

11 Sec. 11.30.270. FILING, OR OFFERING FOR FILING, FALSE
12 OR FORGED INSTRUMENTS. A person who knowingly procures or
13 offers a false or forged instrument to be filed, registered,
14 or recorded in a public office, which, if genuine, might be
15 filed, registered or recorded under a law of this state or
16 the federal government, is guilty of a felony, and upon con-
17 viction is punishable by imprisonment in the penitentiary
18 for not less than one year nor more than two years, or by a
19 fine of not more than \$2,000, or by both.

20 * Sec. 16. AS 11.30.280 is amended to read:

21 Sec. 11.30.280. FALSE CERTIFICATE BY PUBLIC OFFICER.
22 A public officer authorized by law to make or give a certifi-
23 cate or other writing, who makes or delivers as true a certi-
24 ficate or writing containing a statement which he knows is
25 false, is guilty of a felony, and upon conviction is punish-
26 able by imprisonment in the penitentiary for not less than
27 one year nor more than two years, or by a fine of not more
28 than \$5,000, or by both.

29 * Sec. 17. AS 11.30.310 is amended to read:

1 Sec. 11.30.310. PUNISHMENT FOR PREPARING OR OFFERING
2 FALSE EVIDENCE. A violation of secs. 290 and 300 of this
3 chapter is punishable by imprisonment in the penitentiary
4 for not less than one year nor more than two years, or by a
5 fine of not more than \$10,000, or by both.

6 * Sec. 18. AS 11.30.320 is amended to read:

7 Sec. 11.30.320. INFLUENCING WITNESSES, JUDGES OR JURORS
8 OR OBSTRUCTING ADMINISTRATION OF JUSTICE. A person, upon
9 conviction, is punishable by a fine of not more than \$5,000,
10 or by imprisonment for not less than one year nor more than
11 five years, or by both, if he

12 (1) corruptly, or by threats or force, or by a
13 threatening letter or communication, endeavors to influence,
14 intimidate, or impede a witness in a court of this state or
15 before a committing magistrate, or a grand or petit juror,
16 judge, or officer in or of a court of this state, or an
17 officer serving at an examination or other proceeding before
18 a committing magistrate, in the discharge of his duty; or

19 (2) injures the person or property of a party or
20 witness because of his attending or having attended a court
21 or examination before an officer, or committing magistrate,
22 or because of his testifying or having testified to a matter
23 pending before them; or

24 (3) injures the person or property of a grand or
25 petit juror because of a verdict or indictment assented to
26 by him, or because of his being or having been a juror; or

27 (4) injures the person or property of an officer
28 or committing magistrate because of the performance of his
29 official duties; or

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(5) corruptly or by threats or force, or by threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede the due administration of justice.

* Sec. 19. AS 11.40.040 is amended to read:

Sec. 11.40.040. COHABITING IN STATE OF ADULTERY OR FORNICATION. A person who cohabits with another in a state of adultery or fornication is punishable by a fine of not more than \$500, or by imprisonment in the penitentiary for not less than one year nor more than two years, or by both.

* Sec. 20. AS 11.50.020 is amended to read:

Sec. 11.50.020. PROHIBITED ACTS AND PUNISHMENT. A person is guilty of a felony and is punishable by imprisonment in the penitentiary for not less than one year nor more than 10 years, or by a fine of not more than \$5,000, or by both, who

(1) by word of mouth or writing, advocates or teaches the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform;

(2) prints, publishes, edits, issues or knowingly circulates, sells, distributes, or publicly displays a book, paper, document or other written matter containing or advocating, advising or teaching the doctrine that industrial or political reform should be brought about by crime, sabotage, violence or other unlawful methods of terrorism;

(3) openly, wilfully and deliberately justifies, by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods

1 of terrorism with intent to exemplify; spread or advocate
2 the propriety of the doctrine of criminal syndicalism; or
3 (4) knowingly and wilfully organizes or helps to
4 organize, or becomes a member of or voluntarily assembles
5 with a society, group or assemblage of persons formed to
6 reach or advocate the doctrine of criminal syndicalism.

7 * Sec. 21. AS 11.50.030 is amended to read:

8 Sec. 11.50.030. ASSEMBLY TO ADVOCATE CRIMINAL SYNDI-
9 CALISM. An assemblage of two or more persons for the pur-
10 pose of advocating or teaching the doctrine of criminal syn-
11 dicalism as defined in secs. 10 and 20 of this chapter is
12 unlawful and a person wilfully, knowingly and voluntarily
13 participating in the assemblage by his presence, aid or
14 instigation is guilty of a felony, and is punishable by
15 imprisonment in the penitentiary for not less than one year
16 nor more than 10 years, or by a fine of not more than
17 \$5,000, or by both.

18 * Sec. 22. AS 11.55.040 is amended to read:

19 Sec. 11.55.040. PUNISHMENT FOR POSSESSION BY CONVICT.
20 A person who violates sec. 30 of this chapter is punishable
21 by imprisonment for not less than one year nor more than
22 five years, [NOT EXCEEDING FIVE YEARS] or by a fine not
23 exceeding \$500, or by both.

24 * Sec. 23. AS 12.55.050 is amended to read:

25 Sec. 12.55.050. INCREASED PUNISHMENT FOR PERSONS CON-
26 VICTED OF MORE THAN ONE FELONY. A person convicted of a
27 felony in this state who has been previously convicted of
28 a felony in this state or elsewhere, if the same crime else-
29 where would constitute a felony under Alaska law, is punish-

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able as follows:

(1) If the person is convicted of a felony which would be punishable by imprisonment for a term less than his natural life, and had previously been convicted of one felony, then he is punishable by imprisonment for not less than the minimum nor more than twice the longest term prescribed for the felony of which that person is convicted.

(2) If the person has previously been convicted of two felonies, then he is punishable by imprisonment for not less than the minimum nor more than twice the longest term prescribed herein for a second conviction of felony.

(3) If the person has previously been convicted of three or more felonies, then on the fourth conviction he shall be adjudged an habitual criminal, and is punishable by imprisonment for not less than 20 years nor more than the remainder of his natural life. The imposition or execution of sentence shall not be suspended.

* Sec. 24. AS 12.55.080 is repealed and re-enacted to read:

Sec. 12.55.080. SUSPENSION OF SENTENCE AND PROBATION.

Upon entering a judgment of conviction of a crime, any court having jurisdiction to try the offender when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served, may suspend the imposition or execution of the sentence and place the defendant on probation for a period and upon terms and conditions the court considers best; provided that when a person has been convicted of murder in the first degree, or obstructing or injuring a railroad or aircraft, or murder in the second degree, or as an habitual criminal under sec. 50(3) of this

1 chapter, the court shall not suspend imposition or execu-
2 tion of the sentence.

3 * Sec. 25. AS 12.55.090 is amended by adding new subsections
4 to read:

5 (d) Probation may not be granted by the sentencing
6 court when the conviction is for murder in the first degree
7 or obstructing or injuring a railroad, or aircraft, or
8 murder in the second degree, or as an habitual criminal,
9 under sec. 50(3) of this chapter.

10 (e) If the court does not suspend the execution or
11 imposition of sentence, either at the original imposition
12 or within 60 days thereafter, or if the court revokes a
13 suspension as provided in sec. 110 of this chapter, the
14 parole board shall acquire exclusive jurisdiction over the
15 prisoner.

16 * Sec. 26. AS 15.55.220 is amended to read:

17 Sec. 15.55.220. GENERAL PENALTY FOR FELONY. A person
18 found guilty of a felony under the provisions of the Alaska
19 Election Code (AS 15.05 - 15.60) is punishable, unless
20 specifically provided otherwise, by a fine of not more
21 than \$3,000 or by imprisonment for not less than one year nor
22 more than five years, or by both.

23 * Sec. 27. AS 15.65.040 is amended to read:

24 Sec. 15.65.040. OFFENSES AGAINST ELECTION LAWS. A
25 person who hinders, delays, prevents or obstructs a person
26 from qualifying himself to vote or from lawfully voting at
27 a local election or who knowingly personates and votes or
28 attempts to vote in the name of another person, or who
29 votes more than once at the same election, or votes at a

1 place where or at a time when he is not lawfully entitled
2 to vote, or does any unlawful act to secure an opportunity
3 to vote, for himself or for any other person, or who, by
4 or through force, threat, intimidation, bribery, reward or
5 offer, unlawfully votes himself or procures another to vote,
6 or prevents or induces another to refrain from exercising
7 his right of suffrage, or induces an officer of an election
8 to any unlawful act or omit to do his duty in any manner,
9 or who, directly or indirectly, in any manner fraudulently
10 changes or has changed the returns or the true and lawful
11 result of an election or attempts to do the same, or who
12 delays, has delayed, or connives at the delay of election
13 returns in any manner or attempts to do so, upon conviction
14 is punishable by a fine of not more than \$500 nor less
15 than \$100, or imprisonment for not less than one year nor
16 more than three years, or by both, and shall pay the costs
17 of the prosecution. Every officer of an election who neg-
18 lects to perform or violates any duty imposed upon him, or
19 knowingly does any unauthorized act with the intent to
20 affect the election or its result, or who permits, makes,
21 or connives at any false count or certificate of election,
22 or who conceals, withholds, destroys, or wilfully delays
23 the returns of election, or connives at the same being
24 done, or who aids, counsels, or procures any person to do
25 or attempt to do any act made a crime in this section, upon
26 conviction, is punishable by a fine of not less than \$200
27 nor more than \$1,000, or by imprisonment for not less than
28 one year nor more than five years, or by both and shall
29 pay all costs of the prosecution.

1 * Sec. 28. AS 17.10.200(b) is amended to read:

2 (b) A person who violates any provision of this chap-
3 ter relating to the keeping of records by persons author-
4 ized to administer or professionally use narcotic drugs,
5 upon conviction, is punishable by a fine of not less than
6 \$500 nor more than \$5,000, or by imprisonment for not less
7 than one year nor more than five years, or by both.

8 * Sec. 29. AS 27.05.130 is amended to read:

9 Sec. 27.05.130. PENALTIES. Any person convicted of
10 violating a provision of secs. 100 - 120 of this chapter is
11 punishable by a fine of not more than \$1,000 or by imprison-
12 ment for a term of not less than one year nor more than two
13 years, or by both.

14 * Sec. 30. AS 28.10.600 is amended to read:

15 Sec. 28.10.600. FRAUDULENT APPLICATIONS. A person who
16 fraudulently uses a false or fictitious name in application
17 for the registration of a vehicle or a certificate of title,
18 or knowingly makes a false statement or knowingly conceals a
19 material fact or otherwise commits a fraud in an application
20 for registration is guilty of a felony, and upon conviction
21 is punishable by imprisonment for not less than one year nor
22 more than two years, or by a fine of not more than \$2,000,
23 or by both.

24 * Sec. 31. AS 28.10.610 is amended to read:

25 Sec. 28.10.610. FALSE EVIDENCE OF TITLE AND REGISTRA-
26 TION. A person who (1) alters with fraudulent intent a cer-
27 tificate of title, registration card, registration plate or
28 permit issued by the department, (2) forges or counterfeits
29 a certificate of title, registration card, registration

1 plate or permit, (3) alters or falsifies with fraudulent
2 intent or forges an assignment upon a certificate of title,
3 or (4) holds or uses a certificate of title, registration
4 card, registration plate or permit knowing it is altered,
5 forged, or falsified, is guilty of a felony, and upon con-
6 viction is punishable by imprisonment for not less than one
7 year nor more than two years, or by a fine of not more than
8 \$2,000, or by both.

9 * Sec. 32. AS 28.10.620 is amended to read:

10 Sec. 28.10.620. REMOVAL OF VEHICLES FROM STATE. An
11 owner who removes or has removed from the state an en-
12 cumbered vehicle, which is subject to this chapter, without
13 the written consent of the mortgagee or conditional vendor
14 is guilty of a felony, and upon conviction is punishable by
15 imprisonment for not less than one year nor more than two
16 years, or by a fine of not more than \$2,000, or by both.

17 * Sec. 33. AS 28.10.630 is amended to read:

18 Sec. 28.10.630. REPRESENTATION BY DEALERS AS TO
19 VEHICLE OF ANOTHER STATE. A dealer or person who repre-
20 sents a vehicle of another state to be new, except new
21 vehicles brought into the state in the ordinary course of
22 business by or through a manufacturer or dealer, and sells
23 or procures the sale of the foreign vehicle as a new
24 vehicle, is guilty of a felony, and upon conviction is
25 punishable by imprisonment for not less than one year nor
26 more than two years, or by a fine of not more than \$2,000,
27 or by both.

28 * Sec. 34. AS 33.15.180 is amended to read:

29 Sec. 33.15.180. PERSONS ELIGIBLE FOR PAROLE. A state

1 prisoner, other than a juvenile delinquent, wherever con-
2 fined and serving a term the minimum of which is at least
3 181 days, [DEFINITE TERM OF OVER 180 DAYS] whose record
4 shows that he has observed the rules of the institution in
5 which he is confined may, in the discretion of the board,
6 be released on parole, except a person convicted of murder
7 in the first degree, or of obstructing a railroad or air-
8 craft, shall not be eligible for parole until he has served
9 15 years and a person convicted of murder in the second
10 degree or sentenced as an habitual criminal under AS
11 12.55.050(3) shall not be eligible for parole until he has
12 served five years.

13 * Sec. 35. AS 33.15.230 is repealed.

14 * Sec. 36. AS 44.21.050 is amended to read:

15 Sec. 44.21.050. PENALTY FOR ALLOWANCE OF FALSE, UNJUST
16 OR ILLEGAL CLAIMS. If the commissioner of administration or
17 a person acting in his behalf allows a claim against the
18 state which he knows is false or fraudulent or for which
19 there is not an existing appropriation against which a war-
20 rant may be drawn, except where otherwise provided by law,
21 or knows is not a just, true or legal charge against the
22 state, he is guilty of a felony, and upon conviction is
23 punishable by a fine of not more than \$10,000, or by im-
24 prisonment for not less than one year nor more than two
25 years, or by both.

26 * Sec. 37. AS 47.30.330 is amended to read:

27 Sec. 47.30.330. CRIMINAL PENALTIES. A person who in-
28 tentiously causes, or attempts to cause, or conspires with
29 another person to cause an individual to be committed to a

1 hospital under secs. 10 - 340 of this chapter, knowing or
2 having reasonable grounds for believing that the individual
3 is not mentally ill, and in need of hospitalization, is
4 punishable by a fine of not more than \$10,000, or by imprison-
5 ment for not less than one year nor more than 10 years, or
6 by both. The court may order all or part of the fine paid
7 to the injured individual.

8 * Sec. 38. AS 12.55.040 is amended to read:

9 Sec. 12.55.040. INCREASED PUNISHMENT FOR HABITUAL
10 CRIMINAL AFTER CONVICTION OF PETTY LARCENY OR MISDEMEANOR
11 INVOLVING FRAUD. A person convicted of petty larceny or a
12 misdemeanor in which fraud or intent to defraud is an ele-
13 ment who, subsequent to March 9, 1939, has been three times
14 convicted in this state or elsewhere of a crime which would
15 constitute burglary, larceny except changing brands, em-
16 bezzlement, or obtaining money or property by false pre-
17 tenses under Alaska law shall be adjudged an habitual
18 criminal, and is punishable by imprisonment for not less
19 than one year nor more than 10 years.

20 * Sec. 39. AS 42.30.090 is amended to read:

21 Sec. 42.30.090. PENALTY FOR VIOLATION CAUSING DEATH
22 OR INJURY. When death or bodily injury is caused by the
23 explosion of an article referred to in secs. 60 - 100 of
24 this chapter while it is being placed on a vessel or
25 vehicle for transportation in violation of secs. 60 - 100
26 of this chapter, or while it is being transported or re-
27 moved from a vessel or vehicle, the person knowingly
28 placing, or aiding, or permitting the placing of the
29 article upon the vessel or vehicle upon conviction is

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punishable by imprisonment for not less than one year nor
more than 10 years.

* Sec. 40. AS 45.55.210(a) is amended to read:

(a) A person who wilfully violates a provision of
this chapter except sec. 160 of this chapter, or who wil-
fully violates a rule or order under this chapter, or who
wilfully violates sec. 160 of this chapter knowing the
statement made to be false or misleading in a material
respect, upon conviction, is punishable by a fine of not
more than \$5,000, or by imprisonment for not less than one
year nor more than three years, or by both. However, no
person may be imprisoned for the violation of a rule or
order if he proves that he had no knowledge of the rule or
order. No indictment or information may be returned under
this chapter more than five years after the alleged vio-
lation.

* Sec. 41. AS 11.05 is amended by adding a new section to
read:

Sec. 11.05.145. PUNISHMENT FOR FELONIES. Whenever an
act is a felony, and no minimum term of imprisonment is
prescribed, the minimum term is one year, except for crimes
committed under AS 11.15.010 - 11.15.020.

* Sec. 42. This Act takes effect on October 1, 1964.