

Introduced: 1/13/77

1 IN THE SENATE

BY CROFT, TILLION, AND COLLETTA

2 CS SENATE BILL NO. 38 (COMMERCIAL)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to driving under the influence of  
7 intoxicating liquor or drugs."

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

9 \* Section 1. AS 28.35.030 is amended to read:

10 Sec. 28.35.030. DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING  
11 LIQUOR OR DRUGS. A person who, while under the influence of intoxi-  
12 cating liquor, depressant, hallucinogenic or stimulant drugs or narcotic  
13 drugs as defined in AS 17.10.230(13) and AS 17.12.150(3) operates or  
14 drives an automobile, motorcycle or other motor vehicle in the state,  
15 upon conviction, is punishable by a fine of not more than \$1,000, or by  
16 imprisonment for not more than one year, or by both. Upon the first  
17 conviction under this section, the court shall impose a minimum sentence  
18 of imprisonment of not less than three days. Upon a second conviction  
19 [WITHIN FIVE YEARS AFTER A FIRST CONVICTION] under this section, the  
20 court shall impose a minimum sentence of imprisonment of not less than  
21 10 [THREE] days. Upon a third or subsequent conviction [WITHIN FIVE  
22 YEARS AFTER A SECOND CONVICTION] under this section, the court shall  
23 impose a minimum sentence of imprisonment of not less than 30 [10] days.  
24 The execution of sentence may not be suspended nor may probation or  
25 parole be granted until the minimum imprisonment provided in this section  
26 has been served, nor may imposition of sentence be suspended, except  
27 upon the condition that the defendant be imprisoned for no less than the  
28 minimum period provided in this section, nor may the punishment pro-  
29 vided for in this section be reduced under AS 11.05.150. In addition,

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1 his operator's license shall be revoked in accordance with AS 28.15.-  
2 210(c).  
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