

**HB**

**116**

<TARGET><BILL>HB 116</BILL><SUBJECT>HB  
116</SUBJECT><COMM>HJUD27</COMM></TARGET>



# ALASKA STATE LEGISLATURE HOUSE RULES COMMITTEE

**REPRESENTATIVE CRAIG JOHNSON, CHAIRMAN**

State Capitol Room 216, Juneau, AK 99801-1182 (907) 465-4993, (907) 465-3872 Fax  
716 W. 4<sup>th</sup> Ave., Ste. 640, Anchorage, AK 99501 (907) 269-0200, (907) 269-0204 Fax

## MEMORANDUM

TO: Representative Carl Gatto, Chair  
House Judiciary Committee

FROM: Representative Craig Johnson *CJ*

DATE: February 9, 2011

SUBJECT: Hearing Request for HB 116, Special Revisor's Bill by House Rules by Request  
of the Legislative Council

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I respectfully request a hearing in the House Judiciary Committee for House Bill 116, a special revisor's bill related to criminal law, at your earliest convenience.

I have enclosed a copy of the current version of the bill and a sectional summary.

Gerald Luckhaupt, Assistant Revisor with Legal Services, will be testifying for the bill.

If you have any questions or need additional information, feel free to contact me or my aide, Debra Higgins, at 465-3764.

Thank you for your consideration.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 9, 2011

**SUBJECT:** Sectional Summary of a Special 2011 Revisor's Bill Relating to a Criminal Law Issue (Work Order No. 27-LS0369\A)

**TO:** Representative Carl Gatto  
Attn: Sarah Munson

**FROM:** Gerald P. Luckhaupt   
Assistant Revisor

This is a sectional summary of a special 2011 revisor's bill. The bill is prepared under AS 01.05.036, which provides, in part, that the Legislative Affairs Agency, working in cooperation with the Revisor of Statutes

shall make recommendations to the legislative council concerning deficiencies, conflicts, or obsolete provisions in and the need for reorganization or revision of the statutes, and, at the direction of the legislative council, shall prepare for submission to the legislature legislation for the correction or removal of the deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of any portion of the statute law of this state. . . .

As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

**Section 1 of the bill** amends AS 11.71.170(b)(11) by correcting a misspelling of the drug "lorazepam." AS 11.71.170(b)(11) was enacted in 1982 and at that time a typographical error was made and "**lorazepam**" was spelled incorrectly as "**lorazepan**."

**Section 2 of the bill** provides an applicability provision to clarify that the correction that is being made in sec. 1 is not a substantive change to the law and that it applies generally to all persons who might be affected by AS 11.71.170(b)(11) before, on, or after the effective date of this bill. This provision is included out of an abundance of caution to ensure that former or ongoing criminal prosecutions are not called into question.

**Section 3 of the bill** provides an immediate effective date.

If you have any questions about the bill or this summary, please contact me at your convenience.

GPL:plm  
11-068.plm

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
Bill Version \_\_\_\_\_ **HB116** \_\_\_\_\_  
( ) Publish Date \_\_\_\_\_

Identifier (file name): HB116-LAW-CRIM-02-11-11  
Title An Act making a corrective amendment to Alaska Statutes by correcting the spelling of 'lorazepam.'  
Sponsor Rules by Request of Legislative Council  
Requester (H) Judiciary

Dept. Affected Law  
Appropriation Criminal  
Allocation Criminal Justice Litigation

OMB Component Number 2202

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2011) cost 0.0

**POSITIONS**

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by Eileen Donahue, Division Operations Manager  
Division Administrative Services  
Approved by John J. Burns, Attorney General  
Department of Law

Phone 465-5427  
Date/Time 2/11/11 4:45 PM  
Date 2/11/2011

FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB 116

**Analysis**

HB 116 corrects the spelling of a Schedule IVA controlled substance. Currently AS 11.71.170(b) incorrectly spells the substance "lorazepam" as "lorazepan". The bill corrects the spelling.

There is zero fiscal impact to the Department of Law from this bill.

# STATE OF ALASKA

SEAN PARNELL, GOVERNOR

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

P.O. BOX 110300  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3600  
FAX: (907) 465-2075

February 11, 2011

Representative Carl Gatto, Chair  
House Judiciary Committee  
Alaska State Legislature  
State Capitol, Room 118  
Juneau, Alaska 99801-1182

Re: HB 116 - 2011 Revisor's Bill on the correct spelling of Lorazepam


Dear Representative Gatto:

The Department of Law has reviewed HB 116, the 2011 revisor's bill on the correct spelling of Lorazepam.

The bill presents no legal issues and makes important technical improvements to the law.

Sincerely,

JOHN J. BURNS  
ATTORNEY GENERAL

By:   
Deborah E. Behr  
Chief Assistant Attorney General

DEB:ajh

cc: Jerry Luckhaupt, Assistant Revisor of Statutes  
Heather Brakes, Legislative Director, Office of the Governor  
Mike Ford, Assistant Attorney General  
Anne Carpeneti, Assistant Attorney General