

SENATE BILL NO. 46

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATORS TAYLOR, Kelly, Pearce

Introduced: 1/25/95

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act revising the provision of law under which a minor may be charged,
2 prosecuted, and sentenced as an adult in the district court, and adding to the
3 list of offenses for which a minor may be prosecuted as an adult in the district
4 court."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 47.10.010(b) is amended to read:

7 (b) When a minor is accused of violating a statute specified in this
8 subsection, other than [A TRAFFIC STATUTE OR REGULATION, A TRAFFIC
9 ORDINANCE OR REGULATION OF AN INCORPORATED MUNICIPALITY,
10 AS 11.76.105 RELATING TO THE POSSESSION OF TOBACCO BY A MINOR,
11 A FISH AND GAME STATUTE OR REGULATION UNDER AS 16, OR A PARKS
12 AND RECREATIONAL FACILITIES STATUTE OR REGULATION UNDER
13 AS 41.21, EXCEPTING] a statute the violation of which is a felony, [THE
14 PROCEDURE PRESCRIBED IN] AS 47.10.020 - 47.10.090 and the Alaska

1 **Delinquency Rules do not apply and the** [MAY NOT BE FOLLOWED, EXCEPT
2 THAT A PARENT, GUARDIAN, OR LEGAL CUSTODIAN SHALL BE PRESENT
3 AT ALL PROCEEDINGS. THE] minor accused of **the** [AN] offense [SPECIFIED IN
4 THIS SUBSECTION] shall be charged, prosecuted, and sentenced in the district court
5 in the same manner as an adult. **If a minor is charged, prosecuted, and sentenced**
6 **for an offense under this subsection, the minor's parent, guardian, or legal**
7 **custodian shall be present at all proceedings. The provisions of this subsection**
8 **apply when a minor is accused of violating**

9 **(1) a traffic statute or regulation, or a traffic ordinance or**
10 **regulation of a municipality;**

11 **(2) AS 11.76.105, relating to the possession of tobacco by a minor;**

12 **(3) a fish and game statute or regulation under AS 16;**

13 **(4) a parks and recreational facilities statute or regulation under**
14 **AS 41.21;**

15 **(5) each of the following statutes relating to alcoholic beverages:**

16 **(A) AS 04.16.049, relating to access to licensed premises;**

17 **(B) AS 04.16.050, relating to possession or consumption;**

18 **(C) AS 04.16.051, relating to furnishing of alcoholic**
19 **beverages; or**

20 **(D) AS 04.16.060, relating to alcoholic beverage purchases;**

21 **and**

22 **(6) an offense defined in AS 11.71 or AS 17.30.**

23 * **Sec. 2. APPLICABILITY.** This Act applies to an offense committed on or after the
24 effective date of this Act.