

Ch. 31

IN THE HOUSE

BY MR. TAYLOR

HOUSE BILL NO. 147

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act to amend the uniform reciprocal enforcement of support act; amending Secs. 14, 15 and 25, of Ch. 31, SLA, 1953; and declaring an emergency."

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

Section 1. Section 14 of Chapter 31, Session Laws of Alaska, 1953, is hereby amended to read as follows:

Section 14. A court of this state acting only EITHER as an initiating OR RESPONDING state may in its discretion direct that any part of or all fees and costs incurred in this state, INCLUDING WITHOUT LIMITATION BY ENUMERATION, FEES FOR FILING, SERVICE OF PROCESS, SEIZURE OF PROPERTY, AND STENOGRAPHIC SERVICE OF BOTH PLAINTIFF AND DEFENDANT, OR EITHER, shall be paid by this state from its general fund upon vouchers to be certified by the Treasurer of Alaska.

Sec. 2. Section 15 of Chapter 31, Session Laws of Alaska, 1953, is hereby amended to read as follows:

Section 15. When the court of this state acting EITHER as AN INITIATING OR responding state has reason to believe that the defendant may flee the jurisdiction, it may (A) AS AN INITIATING STATE REQUEST IN ITS CERTIFICATE THAT THE COURT OF THE RESPONDING STATE OBTAIN THE BODY OF THE DEFENDANT BY APPROPRIATE PROCESS IF THAT BE PERMISSABLE UNDER THE LAW OF THE RESPONDING STATE; OR (B) AS A RESPONDING

1 STATE, obtain the body of the defendant by appropriate  
2 process of law in the manner of securing the body of an  
3 absconding debtor; Provided, however, that no warrant of  
4 arrest shall be issued for the arrest of the defendant  
5 until such time as civil process fails to produce the  
6 defendant in court to answer the charge against him.

7 Sec. 3. Section 25 of Chapter 31, Session Laws of Alaska,  
8 1953, is hereby amended to read as follows:

9 Section 25. Any order of support issued by a court of  
10 this state when acting as a responding state shall not super-  
11 sede any previous order of support issued in a divorce or  
12 separate maintenance action, but the amounts for a particular  
13 period paid pursuant to either order shall be credited against  
14 amounts accruing or accrued for the same period under both;  
15 Provided, that a court of this state when acting as a re-  
16 sponding state, shall not enter any order providing for  
17 payment of support in a sum greater than the amount provided  
18 for in the initiating state court order or decree; and Pro-  
19 vided further, that the court of this state, acting as a  
20 responding state shall enter in said court only an order for  
21 future payment, and not for delinquencies incurred prior to  
22 the hearing.

23 Sec. 4. An emergency is hereby declared to exist and this  
24 Act shall take effect and be in force from and after its passage  
25 and approval, or upon its becoming law without such approval.  
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