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IN THE HOUSE BY RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 51

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act amending the juvenile code to permit prosecution of minors as adults for violations of traffic statutes, regulations and municipal ordinances; amending Sec. 4 and Sec. 15, Art. I, Ch. 145, SLA 1957; and providing for an effective date."

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

Section 1. Sec. 4, Art. I, Ch. 145, SLA 1957, is amended to read as follows:

Sec. 4. JURISDICTION. Except as otherwise provided herein, and subject to the prior jurisdiction of the superior court for the State of [UNITED STATES DISTRICT COURT IN] Alaska, jurisdiction in cases of minors under eighteen years of age shall be vested in the district magistrate's [JUSTICE'S] courts, which shall have exclusive original jurisdiction in proceedings concerning any minor residing or found in this state [TERRITORY] who:

(1) has violated any law of the state [UNITED STATES OR THE TERRITORY], or any ordinance or regulation of a political subdivision of the state [TERRITORY];

(2) by reason of being wayward or habitually disobedient is uncontrolled by his parent, guardian or custodian;

(3) is habitually truant from school or home, or habitually so conducts himself as to injure or endanger the

1 morals or health of himself or others;

2 (4) is abandoned by his parent, guardian or
3 custodian;

4 (5) lacks proper parental care by reason of the
5 faults, habit or neglect of his parent, guardian or
6 custodian;

7 (6) associates with vagrant, vicious or immoral
8 people, or engages in an occupation or is in a situation
9 dangerous to life or limb or injurious to the health, morals,
10 or welfare of himself or others;

11 (7) is a full orphan who has no relatives willing
12 and able to assume custody and care;

13 (8) has been released by his parent or parents, or
14 guardian, to the Department of Health and [PUBLIC] Welfare
15 for adoptive purposes; or

16 (9) is in need of special care or training not
17 otherwise provided.

18 Provided, that when a minor is accused of violating any
19 traffic statute or regulation, or [SAID JUSTICE'S COURT MAY
20 WAIVE JURISDICTION TO THE CITY MAGISTRATE'S COURT IN THE CASE
21 OF A MINOR WHO HAS VIOLATED] any traffic ordinance or regula-
22 tion of an incorporated municipality, excepting any statute
23 the violation of which is a felony, [; PROVIDED FURTHER, THAT
24 WHEN JURISDICTION IS SO WAIVED TO THE MAGISTRATE'S COURT],
25 the procedure prescribed in Secs. 5 through 10 of this article
26 need not be followed, except that a parent, guardian or legal
27 custodian shall be present in all proceedings in the city or
28 district magistrate's court. The minor accused of such a
29 traffic offense may be charged, prosecuted, and sentenced in

1 the same manner as if he were an adult.

2 The district magistrate's [JUSTICE'S] court shall also
3 have exclusive jurisdiction in any controversy concerning the
4 custody of a minor, except divorce actions, actions for sep-
5 arate maintenance and actions under the Uniform Reciprocal
6 Enforcement of Support Act. The district magistrate's
7 [JUSTICE'S] court shall have the power to appoint a guardian
8 of the person and property of any minor within its jurisdic-
9 tion and shall have the power to order support from either
10 parent or from both. In any of the aforesaid actions cog-
11 nizable in the superior court [DISTRICT COURT] the superior
12 court [DISTRICT COURT] may order the minor delivered to the
13 custody of the [WELFARE] Department of Health and Welfare,
14 if the court [COURT] deems such action in the best interest
15 of the minor, and in such case the [WELFARE] Department of
16 Health and Welfare shall receive such money as the court
17 [COURT] may order paid for the support of the child.

18 Sec. 2. EFFECTIVE DATE. This Act takes effect on the day
19 after its passage and approval or on the day it becomes law with-
20 out such approval.
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