

Introduced: 2/10/67
Referred: Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 158

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to jurisdiction of courts
7 in cases concerning delinquent and dependent
8 minors; and providing for an effective date."

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

10 * Section 1. AS 47.10.010(a) is repealed and re-enacted to
11 read:

12 (a) Proceedings relating to any minor under 18 years
13 of age residing or found in the state are governed by this
14 chapter, except as otherwise herein provided, when such minor

15 (1) violates a law of the state, or an ordinance
16 or regulation of a political subdivision of the state;

17 (2) by reason of being wayward or habitually dis-
18 obedient is uncontrolled by his parent, guardian or custodian;

19 (3) is habitually truant from school or home, or
20 habitually so conducts himself as to injure or endanger the
21 morals or health of himself or others;

22 (4) is abandoned by his parent, guardian or
23 custodian;

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

26 (6) associates with vagrant, vicious or immoral
27 people, or engages in an occupation or is in a situation
28 dangerous to life or limb or injurious to the health, morals,
29 or welfare of himself or others;

HB 158 am S

-1-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

(7) is an orphan who has no relatives willing and able to assume custody and care;

(8) has been released by his parent or parents, or guardian, to the department for adoptive purposes; or

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

* Sec. 2. AS 47.10.010(c) is repealed and re-enacted to read:

(c) In any controversy concerning custody of a minor, the court may appoint a guardian of the person and property of a minor and may order support from either or both parents. Custody of a minor may be given to the Department of Health and Welfare, and payment of support money to the Department may be ordered.

* Sec. 3. AS 47.10.060(a) is repealed and re-enacted to read:

(a) If the court finds at a hearing on a petition that there is probable cause for believing that a minor is delinquent and finds that the minor is not amenable to treatment under this chapter, it shall order the case closed. After a case is closed under this subsection, the minor may be prosecuted as if he were an adult.

* Sec. 4. AS 47.10.160(2) is amended to read:

(2) require and collect statistics on juvenile offenses and offenders [HANDLED BY ALL DISTRICT MAGISTRATE COURTS] in Alaska;

* Sec. 5. AS 47.10.290(1) is amended to read:

(1) "court" means the superior court [DISTRICT MAGISTRATE COURTS] of the state in those jurisdictions where there is more than one immediately available superior court judge; otherwise "court" means the district courts of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

state;

* Sec. 6. AS 22.15.100 is amended by adding a new subsection to read:

(8) to order the temporary detention of a minor, or take other action authorized by law or rules of procedure, in cases arising under AS 47.10.010 - 47.10.290, when the minor is in a condition or surrounding dangerous or injurious to the welfare of the minor or others which requires immediate action. Any such action may be continued in effect until reviewed by the superior court or district court in accordance with rules of procedure governing such cases.

* Sec. 7. AS 22.15.030(e)(6), 22.15.120(8), 47.10.060(b), and 47.10.060(c) are repealed.

~~* Sec. 8. This Act takes effect January 1, 1968.~~