

Introduced: 2/26/67
Referred: Judiciary

1 IN THE HOUSE

BY BALONE BY REQUEST

2 HOUSE BILL NO. 247

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 a judgment in an action for
7 divorce or action declaring a marriage void."

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

9 * Section 1. AS 09.55.210(1) is amended to read:

10 (1) for the care and custody of the minor children of the
11 marriage as it considers just and proper (HAVING DUE REGARD TO THE
12 AGE AND SEX OF THE CHILDREN, AND, UNLESS OTHERWISE MANIFESTLY IMPROPER,
13 GIVING THE PREFERENCE TO THE PARTY NOT IN FAULT) in determining custody
14 of children over two years of age, no preference shall be given to the
15 mother over the father for the sole reason that she is the mother;

16 * Sec. 2. AS 09.55.210(2) is amended to read:

17 (2) for the payment by both parties equally [FROM THE PARTY
18 IN FAULT, NOT ALLOWED THE CARE AND CUSTODY OF THE CHILDREN,] an amount
19 of money, in gross or installments, as may be just and proper for each
20 of them [THAT PARTY] to contribute toward the nurture and education of
21 the children, and the court may, order the parties [PARTY] to arrange
22 with their employees [HIS OR HER EMPLOYER] for an automatic payroll
23 deduction each month or each pay period, if the period is other than
24 monthly, of the amount of the installment; if the employer agrees, the
25 installment is forwarded by the employer to the clerk of the superior
26 court which entered the judgment or the court trustee and the amount of
27 the installment is exempt from execution;

28 * Sec. 3. AS 09.55.210(3) is amended to read:

29 (3) for the recovery only in cases where one of the parties

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1 is physically incapable of earning a livelihood [FROM THE PARTY IN
2 FAULT] an amount of money, in gross or in installments, as may be just
3 and proper for one [THE] party to contribute to the maintenance of the
4 other.

5 * Sec. 4. AS 09.55.210(6) is amended to read:

6 (6) for the division between the parties of their [JOINT]
7 property, whether joint or separate, acquired during coverture [OR THE
8 SEPARATE PROPERTY OF EACH], in the manner as may be just, and without
9 regard as to which of the parties is the owner of the property or which
10 of the parties is in fault; and to accomplish this end the judgment may
11 require one of the parties to assign, deliver, or convey any of his or
12 her real or personal property to the other party;
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