

Introduced: 2/14/68  
Referred: Health, Welfare  
and Education and Judiciary

BY STEVENS, BANFIELD,  
GUESS AND BRADY

1 IN THE HOUSE

2 HOUSE BILL NO. 558

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act changing all references to juveniles to  
7 children."

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

9 \* Section 1. AS 47.10.150 is amended to read:

10 Sec. 47.10.150. GENERAL POWERS OF DEPARTMENT OVER CHILDREN'S

11 [JUVENILE] INSTITUTIONS. The Department of Health and Welfare may

12 (1) purchase, lease or construct buildings or other facil-  
13 ities for the care, detention, rehabilitation and education of dependent  
14 or delinquent minors;

15 (2) adopt plans for construction of children's [JUVENILE]  
16 homes, children's [JUVENILE] detention facilities, and other children's  
17 [JUVENILE] institutions;

18 (3) adopt standards and regulations under this chapter for  
19 the design, construction, repair, maintenance and operation of all  
20 children's [JUVENILE] detention homes, facilities, and institutions;

21 (4) inspect periodically each children's [JUVENILE] detention  
22 home, facility, or other institution to insure that the standards and  
23 regulations adopted are being maintained;

24 (5) reimburse cities maintaining and operating children's  
25 [JUVENILE] detention homes and facilities;

26 (6) enter into contracts and arrangements with cities and  
27 state and federal agencies to carry out the purposes of this chapter;

28 (7) do all acts necessary to carry out the purposes of this  
29 chapter;

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(8) adopt the regulations necessary to carry out this chapter;

(9) accept donations, gifts or bequests of money or other property for use in construction of children's [JUVENILE] homes, institutions or detention facilities;

(10) operate children's [JUVENILE] homes when municipalities are unable to do so;

(11) receive, care for, and place in a children's [JUVENILE] detention home, the minor's own home, a foster home, or correctional school or treatment institution all minors committed to its custody under this chapter.

\* Sec. 2. AS 47.10.160 is amended to read:

Sec. 47.10.160. DUTIES OF DEPARTMENT. The Department of Health and Welfare shall

(1) accept all minors committed to the custody of the department and provide for the welfare, control, care, custody, and placement of these children in accordance with the provisions of this chapter;

(2) require and collect statistics on children's [JUVENILE] offenses and child offenders in Alaska;

(3) conduct studies and prepare findings and recommendations on the need, number, type, construction, maintenance, and operating costs of children's [JUVENILE] homes, facilities and other institutions, and adopt and submit a plan for construction of the homes, facilities, and institutions when needed, together with a plan for financing the construction programs;

(4) examine, where possible, all facilities, institutions, and places of child [JUVENILE] detention in Alaska and inquire into their methods and the management of children [JUVENILES] in them.

\* Sec. 3. AS 47.10.170 is amended to read:

Sec. 47.10.170. POWER OF CITIES TO MAINTAIN AND OPERATE HOME OR  
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1 FACILITY. (a) A city having a population of 1700 or more, according  
2 to the latest decennial census, or found by the department to have a  
3 present population of 1700 or more may maintain and operate a children's  
4 [JUVENILE] detention home or facility.

5 (b) The city may receive grants-in-aid from the state for costs  
6 of operation of the homes or facilities.

7 ■ Sec. 4. AS 47.10.180 is amended to read:

8 Sec. 47.10.180. OPERATION OF HOMES AND FACILITIES. (a) The  
9 Department of Health and Welfare shall adopt standards and regulations  
10 for the operation of children's [JUVENILE] detention homes and  
11 children's [JUVENILE] detention facilities in the state.

12 (b) The department may enter into contracts with cities and other  
13 governmental agencies for the detention of children [JUVENILES] before  
14 and after commitment by children's [JUVENILE] authorities. No contract  
15 may be made for longer than one year.

16 ■ Sec. 5. AS 47.10.190 is amended to read:

17 Sec. 47.10.190. CONDITIONS GOVERNING DETENTION. When a court  
18 commits a minor to the custody of the department, the department shall  
19 arrange to place the child [JUVENILE] in a detention home, facility or  
20 another suitable place which the department designates for that purpose.  
21 A child [JUVENILE] detained in a jail or similar institution at the  
22 request of the department shall be held in custody in a room or other  
23 place apart and separate from adults.

24 ■ Sec. 6. AS 47.10.200 is amended to read:

25 Sec. 47.10.200. RELEASING CHILDREN [JUVENILES] AFTER COMMITMENT.  
26 A [JUVENILE] delinquent child who by his conduct gives sufficient  
27 evidence that he has reformed may be released at any time under the  
28 conditions and regulations which the department considers proper, if it  
29 appears to the satisfaction of the department that there is a reasonable

1 probability that the child [JUVENILE] will remain at liberty without  
2 violating the law.

3 \* Sec. 7. AS 47.10.210 is amended to read:

4       Sec. 47.10.210. YOUTH COUNSELLORS. The department may employ youth  
5 counsellors. Youth counsellors shall exercise the duties of probation  
6 officers and shall prepare preliminary investigations for the informa-  
7 tion of the court. They shall also carry out other duties in the care  
8 and treatment of minors which are consistent with the intent of this  
9 chapter. Youth counsellors have the powers of a peace officer with  
10 respect to the service of process, the making of arrests of minors who  
11 violate state or municipal law, and the execution of orders of the court  
12 relating to children [JUVENILES]. The youth counsellors shall assist  
13 and advise the courts in the furtherance of the welfare and control of  
14 minors under the court's jurisdiction.

15 \* Sec. 8. AS 47.10.290 is amended to read:

16       Sec. 47.10.290. DEFINITIONS. In this chapter, unless the context  
17 otherwise requires,

18           (1) "court" means the superior court of the state;

19           (2) "delinquent minor" is a minor whom the court determines  
20 is within the provisions of secs. 10(a)(1), (2), (3), or (6) of this  
21 chapter;

22           (3) "dependent minor" is a minor whom the court determines is  
23 within the provisions of secs. 10(a)(4), (5), (6), (7), (8), or (9) of  
24 this chapter;

25           (4) "children's [JUVENILE] detention facility" means separate  
26 quarters within a city jail used for the detention of delinquent minors

27           (5) "children's [JUVENILE] detention home" or "detention  
28 home" is a separate establishment, exclusively devoted to the detention  
29 of minors on a short-term basis and not a part of an adult jail;

(6) "minor" is a person under 18 years of age.

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