

Original sponsor: Huber, Bradner,
Chance, et al

Offered: 3/29/71
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 97

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the age of jurors and the age of
7 majority and responsibility."

8

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

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* Section 1. AS 04.10.190(a)(5) is amended to read:

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(5) the consent of a majority of the citizens over the age
11 of 18 [19] years, residing within one mile of the place where the in-
12 toxicating liquor is to be manufactured, bartered, sold and exchanged,
13 or bartered, sold and exchanged, but an applicant for a license outside
14 the corporate boundaries of an incorporated town need not obtain the
15 consent for a reissuance of the license.

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* Sec. 2. AS 04.10.440 is amended to read:

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Sec. 04.10.440. CONSENT OF RESIDENTS OUTSIDE OF INCORPORATED CITIES
18 OR TOWNS. No new license for the sale of intoxicating liquor may be
19 issued under this title in areas outside incorporated cities or towns
20 unless a petition containing signatures of a majority of the bona fide
21 residents residing within one mile of the place where intoxicating
22 liquor is to be sold, and over the age of 18 [19] years, is filed with
23 the board asking that a license be issued within the said area. The
24 board may not require the petition for a reissuance of the license.

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* Sec. 3. AS 08.04.110(3) is repealed.

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* Sec. 4. AS 08.04.280(3) is repealed.

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* Sec. 5. AS 08.36.170 is amended to read:

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Sec. 08.36.170. PARTIAL EXAMINATION. A student [AT LEAST 19
29 YEARS OF AGE] who has satisfactorily completed regular courses of

1 instruction in denistry in at least two different school years at an
2 approved dental school, and who is certified by the dean of the college
3 as having satisfactorily completed the subjects included in section I of
4 the examination may take section I of the examination. If the student
5 passes section I and subsequently takes the full examination, the
6 requirements of section I are waived.

7 * Sec. 6. AS 08.88.211(b)(1) is repealed.

8 * Sec. 7. AS 09.10.140 is amended to read:

9 Sec. 09.10.140. DISABILITIES OF MINORITY, INSANITY, AND IMPRISON-
10 MENT. If a person entitled to bring an action mentioned in this chapter
11 is at the time the cause of action accrues either (1) under the age of
12 18 [19] years, or (2) insane, or (3) imprisoned on a criminal charge, or
13 in execution under sentence of a court for a term less than his natural
14 life, the time of the disability is not a part of the time limited for
15 the commencement of the action. But the period within which the action
16 may be brought is not extended in any case longer than two years after
17 the disability ceases.

18 * Sec. 8. AS 09.20.010(3) is amended to read:

19 (3) at least 18 [19] years of age;

20 * Sec. 9. AS 10.05.252 is amended to read:

21 Sec. 10.05.252. INCORPORATORS. Three or more natural persons
22 at least 18 [19] years of age may act as incorporators of a corporation
23 by signing, verifying and delivering in duplicate to the commissioner
24 articles of incorporation for the corporation.

25 * Sec. 10. AS 10.20.146 is amended to read:

26 Sec. 10.20.146. INCORPORATORS. Three or more natural persons at
27 least 18 [19] years of age may act as incorporators of a corporation by
28 signing, verifying and delivering in duplicate to the commissioner
29 articles of incorporation for the corporation.

1 * Sec. 11. AS 11.15.130 is amended to read:

2 Sec. 11.15.130. PUNISHMENT FOR RAPE. (a) A person 18 [19] years
3 of age or older convicted of rape upon his daughter or sister, or upon
4 a female person under 16 years of age, is punishable by imprisonment
5 in the penitentiary for any term of years.

6 (b) A person less than 18 [19] years of age who is found, in ac-
7 cordance with procedures set out in AS 47.10, to have committed [CON-
8 VICTED OF] rape upon his daughter, or sister, or a female person under
9 16 years of age, is punishable in accordance with AS 47.10. If the case
10 is closed under AS 47.10.060 and he is convicted, he is punishable by
11 imprisonment in the penitentiary for not more than 20 years.

12 (c) A person convicted of rape upon any other female person is
13 punishable by imprisonment in the penitentiary for not more than 20
14 years nor less than one year.

15 * Sec. 12. AS 13.05.010 is amended to read:

16 Sec. 13.05.010. WHO MAY MAKE. Every person of sound mind who is
17 18 [19] or more years of age may devise by last will all his property,
18 real or personal, under the rules and limitations provided by law.

19 * Sec. 13. AS 14.14.180(a)(2) is amended to read:

20 (2) has passed his 18th [19TH] birthday;

21 * Sec. 14. AS 18.20.085(a) is amended to read:

22 (a) Unless specified otherwise by the department a hospital shall
23 retain and preserve records which relate directly to the care and
24 treatment of a patient for a period of seven years following the dis-
25 charge of the patient. However, the records of a patient under 18 [19]
26 years of age shall be kept until at least two years after the patient
27 has reached the age of 18 [19] years or until seven years following the
28 discharge of the patient, whichever is longer. Records consisting of
29 X-ray film are required to be retained for five years.

1 * Sec. 15. AS 18.65.010(a) is amended to read:

2 (a) The commissioner of public safety may appoint as special
3 officers qualified police officers of the federal, state or local gov-
4 ernment units or other persons with adequate police training over the
5 age of 18 [19] years, as he considers necessary to aid and assist the
6 division of state troopers in the enforcement of the criminal laws of
7 the state. Each special officer appointed serves without compensation
8 and at the pleasure of the commissioner of public safety and appoint-
9 ments shall be of limited duration.

10 * Sec. 16. AS 20.05.040 is amended to read:

11 Sec. 20.05.040. POWERS AND DUTIES OF GUARDIANS AND RIGHT OF
12 PARENTS TO CUSTODY AND EDUCATION. A guardian has the custody and tuition
13 of the minor and the care and management of his estate. He continues
14 as guardian until the minor reaches 18 [19] years of age, or until the
15 guardian is discharged according to law. However, the father of the
16 minor or, in case of his death, the mother while she remains unmarried,
17 if competent to transact his or her own business, is entitled to the
18 custody of the person of the minor and is in charge of the education of
19 the minor.

20 * Sec. 17. AS 21.27.090(a)(1) is repealed.

21 * Sec. 18. AS 21.27.290(1) is repealed.

22 * Sec. 19. AS 24.25.020 is amended to read:

23 Sec. 24.25.020. SERVICE OF SUBPOENA. A person over the age of 18
24 [19] years who is competent as a witness in the state courts may serve
25 the subpoena. His affidavit that he delivered a copy to the witness is
26 evidence of service.

27 * Sec. 20. AS 25.05.011(a)(1) is amended to read:

28 (1) a male who is 18 [19] years of age or older with a female
29 who is 18 years of age or older, who are otherwise capable, or

1 * Sec. 21. AS 25.20.010 is amended to read:

2 Sec. 25.20.010. AGE OF MAJORITY. A person is considered to have
3 arrived at majority at the age of 18 [19] years, and thereafter has
4 control of his own actions and business and has all the rights and is
5 subject to all the liabilities of citizens of full age, except as
6 otherwise provided by statute.

7 * Sec. 22. AS 38.05.190(a)(1) is amended to read:

8 (1) citizens of the United States at least 18 [19] years of
9 age;

10 * Sec. 23. AS 38.05.190(a)(2) is amended to read:

11 (2) legal guardians or trustees of citizens of the United
12 States under 18 [19] years of age on behalf of such citizens;

13 * Sec. 24. AS 38.05.190(a)(3) is amended to read:

14 (3) persons at least 18 [19] years of age who have declared
15 their intention to become citizens of the United States;

16 * Sec. 25. AS 38.05.190(a)(4) is amended to read:

17 (4) aliens at least 18 [19] years of age if the laws of
18 their country grant like privileges to citizens of the United States;

19 * Sec. 26. AS 43.45.010(a) is amended to read:

20 (a) There is imposed a school tax of \$10 a year upon each person
21 18 [19] years of age or older gainfully employed in the state or on
22 the waters of the state, except (1) a married woman who is unemployed
23 and entirely dependent upon the income of her husband and whose husband
24 has paid a school tax, and (2) a person exempt under sec. 20 of this
25 chapter.

26 * Sec. 27. AS 44.50.020 is amended to read:

27 Sec. 44.50.020. QUALIFICATIONS. A person appointed as notary
28 public shall be, at the time of his appointment, a citizen of the United
29 States and of this state and a resident at least 18 [19] years of age.

1 * Sec. 28. AS 47.10.080(b)(1) is amended to read:

2 (1) order the minor committed to the Department of Health
3 and Welfare for an indeterminate period of time not to extend past
4 a specified date or in any event past the day the minor becomes
5 18 [19], except that the department may petition the court for con-
6 tinued supervision for an additional one-year period for minors who
7 have not responded to treatment, and may direct the minor's place-
8 ment in a juvenile correctional school, detention home, or detention
9 facility designated by the department; the minor may be released from
10 placement or detention and placed on probation on order of the court;
11 or

12 * Sec. 29. AS 47.10.080(b)(2) is amended to read:

13 (2) order the minor placed on probation, to be supervised by
14 the department, and release him to his parents, guardian, or a suitable
15 person; if the court orders the minor placed on probation, it may
16 specify the terms and conditions of probation; the probation may be for
17 an indeterminate period of time, not to extend past a specified date
18 and in no event past the day the minor becomes 18 [19], except that the
19 department may petition the court for continued supervision for an
20 additional one-year period for minors who have not responded to
21 treatment.

22 * Sec. 30. AS 47.10.080(c)(1) is amended to read:

23 (1) order the minor committed to the department for an
24 indeterminate period of time not to exceed the date the minor becomes
25 18 [19] years of age, except that the department may petition the court
26 for continued supervision for an additional one-year period for minors
27 who have not responded to treatment;

28 * Sec. 31. AS 47.10.080(c)(2) is amended to read:

1 (2) order the minor released to his parents, guardian, or
2 some other suitable person; if the court releases the minor, it shall
3 direct the department to supervise the care and treatment given to the
4 minor; the department's supervision may not extend past the date the
5 minor becomes 18 [19] years of age, except that the department may
6 petition the court for continued supervision for an additional one-year
7 period for minors who have not responded to treatment; or

8 * Sec. 32. AS 47.10.100(a) is amended to read:

9 (a) The court retains jurisdiction over the case and may at any
10 time stay execution, modify, set aside, revoke, or enlarge a judgment
11 or order, or grant a new hearing, in the exercise of its power of pro-
12 tection over the minor and for his best interest, until he becomes 18
13 [19] years of age, unless sooner discharged by the court, except that
14 the department may petition the court for continued supervision for an
15 additional one-year period for minors who have not responded to treat-
16 ment. An application for any of these purposes may be made by the
17 parent, guardian, or custodian acting in behalf of the minor, or the
18 court may, on its own motion, and after reasonable notice to interested
19 parties and the appropriate department, take action which it considers
20 appropriate.

21 * Sec.33. AS 47.10.100(c) is amended to read:

22 (c) If a minor is adjudicated a delinquent, a child in need of
23 supervision, or a dependent before his 17th [EIGHTEENTH] birthday, the
24 court may retain jurisdiction over him after his 17th [EITHTEENTH] birth-
25 day for the purpose of supervising his rehabilitation, but the court's
26 jurisdiction over him under this chapter never extends beyond his 18th
27 [NINETEENTH] birthday, except that the department may petition the court
28 for continued supervision for an additional one-year period for minors
29 who have not responded to treatment. The department may retain

1 jurisdiction over a child between his 17th and 18th [EIGHTEENTH AND
2 NINETEENTH] birthdays for the purpose of supervising his rehabilitation,
3 if he is committed to the custody of the department before his 17th
4 [EITHTEENTH] birthday, except that the department may petition the court
5 for continued supervision for an additional one-year period for minors
6 who have not responded to treatment.

7 * Sec. 34. AS 04.15.065 is amended to read:

8 Sec. 04.15.065. DRIVER'S LICENSE AS PROOF OF AGE. A valid Alaska
9 driver's license is acceptable as proof of age when used for identifi-
10 cation in the purchase of liquor and for presence in establishments
11 where liquor is sold if the license is made of or encased in plastic
12 and contains a photograph of the license holder and a statement of
13 his age or date of birth. The liquor licensee may not be held liable
14 for any of the penalties imposed for serving minors or permitting minors
15 on the premises when such a driver's license indicates that the owner
16 and possessor of the license is 18 [19] years of age or over.

17 * Sec. 35. AS 47.10.060(d) is amended to read:

18 (d) A minor is unamenable to treatment under this chapter if he
19 probably cannot be rehabilitated by treatment under this chapter before
20 he reaches 18 [21] years of age. In determining whether a minor is
21 unamenable to treatment, the court may consider the seriousness of the
22 offense the minor is alleged to have committed, the minor's history of
23 delinquency, the probable cause of the minor's delinquent behavior, and
24 the facilities available to the division of corrections YOUTH AND
25 ADULT AUTHORITY] for treating the minor.
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