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Referred: Health, Welfare &  
Education and Judiciary

1 IN THE HOUSE

BY J. MILLER, HARTIG AND  
RANDOLPH

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 5

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act transferring the division of corrections to  
7 the court system."

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

9 \* Section 1. AS 12.70.220(b) and (c) are amended to read:

10 (b) When the return to this state is required of a person who  
11 has been convicted of a crime in this state and has escaped from  
12 confinement or broken the terms of his bail, probation, or parole,  
13 the prosecuting attorney of the judicial district in which the offense  
14 was committed, or the attorney general, the parole or probation  
15 authority having jurisdiction over him, or the director of the division  
16 of corrections [COMMISSIONER OF THE DEPARTMENT OF HEALTH AND SOCIAL  
17 SERVICES] shall present to the governor a written application for a  
18 requisition for the return of that person. In the application there  
19 shall be stated the name of the person, the crime for which he was  
20 convicted, the circumstances of his escape from confinement or of  
21 the breach of the terms of his bail, probation, or parole, and the  
22 state in which he is believed to be, including the location of the  
23 person therein at the time the application is made.

24 (c) The application shall be verified by affidavit, shall be  
25 executed in duplicate and shall be accompanied by two certified copies  
26 of the indictment returned, or information and affidavit filed, or  
27 the complaint made to the superior court judge or district judge,  
28 stating the offense with which the accused is charged, or of the  
29 judgment of conviction or of the sentence. The attorney general or

1 the prosecuting attorney, the parole or probation authority, or the  
2 director of the division of corrections [COMMISSIONER OF THE DEPARTMENT  
3 OF HEALTH AND SOCIAL SERVICES] may also attach further affidavits  
4 and other documents in duplicate he deems proper to be submitted with  
5 the application. One copy of the application, with the action of  
6 the governor indicated by endorsement on the application, and one of  
7 the certified copies of the indictment, complaint, information and  
8 affidavits, or judgment of conviction or sentence shall be filed in  
9 the office of the governor to remain of record in that office. The  
10 other copies of all papers shall be forwarded with the governor's  
11 requisition.

12 \*Sec. 2. AS 22.05 is amended by adding a new section to read:

13       Sec. 22.05.155. DIRECTION OF CORRECTIONS. The chief justice  
14 of the supreme court shall, with the approval of the supreme court,  
15 appoint a director of corrections to serve at the pleasure of the  
16 supreme court and to administer the division of corrections.

17 \* Sec. 3. AS 33.05 is amended by adding a new section to read:

18       Sec. 33.05.005. DIVISION OF CORRECTIONS. There is established  
19 under the supreme court the division of corrections which is admin-  
20 istered by the director of corrections.

21 \* Sec. 4. AS 33.05.010 is amended to read:

22       Sec. 33.05.010. POWERS OF DIRECTOR OF CORRECTIONS [COMMISSIONER].  
23 The director of corrections [COMMISSIONER] shall administer a proba-  
24 tion system and enforce the probation laws in the superior court.

25 \* Sec. 5. AS 33.05.020 is amended to read:

26       Sec. 33.05.020. DUTIES OF DIRECTOR OF CORRECTIONS [COMMISSIONER].  
27 (a) The director of corrections [COMMISSIONER] shall appoint and make  
28 available to the superior court [, WHERE NECESSARY,] qualified  
29 probation officers and assistants.

1 (b) The director of corrections [COMMISSIONER] shall fix pro-  
2 bation officers' and assistants' salaries, assign them to the various  
3 judicial districts, and shall provide for their necessary expenses  
4 including clerical services and travel. He may assign to all proba-  
5 tion officers and personnel any duties concerning the administration  
6 of the parole system as provided in the Parole Administration Act.

7 \* Sec. 6. AS 33.05.040(4) is amended to read:

8 (4) keep records of his work, keep accurate and complete  
9 accounts of all money collected from persons under his supervision,  
10 give receipts for money collected and make at least monthly returns  
11 of it, make the reports to the court and the director of corrections  
12 [COMMISSIONER] required by them, and perform other duties the court  
13 may direct;

14 \* Sec. 7. AS 33.05.040(5) is amended to read:

15 (5) perform such duties with respect to persons on parole  
16 as the director of corrections [COMMISSIONER] shall request, and in  
17 such service shall be termed a parole officer.

18 \* Sec. 8. AS 33.15.010 is amended to read:

19 Sec. 33.15.010. STATE BOARD OF PAROLE. There is in the  
20 division [DEPARTMENT] a board of parole consisting of five members  
21 to be appointed by the governor, subject to confirmation by a majority  
22 of the members of the legislature in joint session. One of the  
23 members, who shall be chairman of the board, shall be a person with  
24 training or experience in the field of probation and parole, and he  
25 may be an official or employee of the division [DEPARTMENT BUT MAY NOT  
26 BE AN OFFICIAL OR EMPLOYEE OF THE DIVISION OF CORRECTIONS]. The term  
27 of each of the other four members of the board is four years and  
28 until his successor is appointed and qualifies. Successors are ap-  
29 pointed in the same manner as provided for the board members first

1 appointed. A vacancy shall be filled for the unexpired term.

2 \* Sec. 9. AS 33.15.040 is amended to read:

3 Sec. 33.15.040. PAYMENT OF BOARD EXPENSES. The necessary  
4 expenses of the board shall be paid by appropriation made to the  
5 division [DEPARTMENT].

6 \* Sec. 10. AS 33.15.130(b) is amended to read:

7 (b) The board shall keep a record of its acts and shall notify  
8 the director [COMMISSIONER] of its decisions relating to prisoners  
9 considered for parole. At the close of each fiscal year the board  
10 shall submit to the governor, the director [COMMISSIONER], and the  
11 attorney general, a report containing statistical and other data of  
12 its work, including research studies which it may make of probation,  
13 sentencing, parole or related functions, and a computation and  
14 analysis of dispositions in criminal matters by the courts in the  
15 state.

16 \* Sec. 11. AS 33.15.150 is amended to read:

17 Sec. 33.15.150. DUTIES OF THE DIRECTOR [COMMISSIONER]. The  
18 director [COMMISSIONER] is charged with the administrative duties  
19 and responsibilities necessary to

20 (1) conduct investigations of prisoners eligible for  
21 parole as the board requests;

22 (2) supervise the conduct of parolees and institute programs  
23 for reform and rehabilitation of parolees as the board requests;

24 (3) appoint and assign parole officers and personnel to  
25 the judicial districts in the state and to train and supervise parole  
26 officers and personnel;

27 (4) keep records, files and accounts as the board requests.

28 \* Sec. 12. AS 33.15.160 is amended to read:

29 Sec. 33.15.160. DELEGATION OF DUTIES TO EXECUTIVE DIRECTOR. The

1        director [COMMISSIONER] may delegate all or part of the administrative  
2        duties and responsibilities specified in sec. 150 of this chapter  
3        to the executive director of the board.

4        \* Sec. 13. AS 33.15.170 is amended to read:

5                Sec. 33.15.170. DIRECTOR [COMMISSIONER] MAY ASSIGN DUTIES OF  
6        PROBATION OFFICERS TO PAROLE OFFICERS. The director [COMMISSIONER]  
7        may assign the duties of probation officers as provided in the  
8        Probation Administration Act to personnel appointed under sec. 150(3)  
9        of this chapter.

10       \* Sec. 14. AS 33.15.200 is amended to read:

11                Sec. 33.15.200. RETAKING OF PAROLE VIOLATOR. A warrant for the  
12        retaking of a state prisoner who violates his parole may be issued  
13        only by the board or a member of it and the warrant shall issue  
14        within the maximum term or terms to which the parolee was sentenced.  
15        A parole violator may be retaken with or without a warrant for  
16        violation of a term of parole. The unexpired term of imprisonment  
17        of the parolee shall be served and begins to run from the date he is  
18        returned to the custody of the director [COMMISSIONER] under the  
19        warrant, and the time the prisoner was at liberty on parole does not  
20        diminish the time he was sentenced to serve.

21       \* Sec. 15. AS 33.15.210 is amended to read:

22                Sec. 33.15.210. EXECUTION OF WARRANT TO RETAKE PAROLE VIOLATOR.  
23        A parole officer or an officer of a state prison facility, or a prison  
24        facility made available to the state under contract, or a peace  
25        officer authorized to serve criminal process in the state shall  
26        execute the warrant by taking the prisoner and confining him in a  
27        prison facility designated by the director [COMMISSIONER]. A  
28        parolee who violates his parole may be retaken by a parole officer  
29        without a warrant and returned to the prison facility designated

1 by him.

2 \* Sec. 16. AS 33.15.230(b) is amended to read:

3 (b) Upon commitment of a prisoner sentenced to imprisonment  
4 under (a) of this section, the director [COMMISSIONER], under such  
5 regulations as the board prescribes, shall have a complete study  
6 made of the prisoner and shall furnish to the board a summary report  
7 together with any recommendations which, in his opinion, would be  
8 helpful in determining the suitability of the prisoner for parole.  
9 This report may include, but shall not be limited to, data regarding  
10 the prisoner's previous delinquency or criminal experience, circum-  
11 stances of his social background, his capabilities, his mental and  
12 physical health, and such other factors considered pertinent. The  
13 board may make such other investigation as it considers necessary.

14 \* Sec. 17. AS 33.15.260 is amended by adding new paragraphs to read:

15 (5) "director" means the director of corrections;

16 (6) "division" means the division of corrections under the  
17 Alaska Supreme Court.

18 \* Sec. 18. AS 33.20.020 is amended to read:

19 Sec. 33.20.020. GOOD TIME. (a) A prisoner may, in the dis-  
20 cretion of the director [COMMISSIONER OF HEALTH AND SOCIAL SERVICES]  
21 or his designee, be allowed a deduction from his sentence of not to  
22 exceed three days for each month of actual employment in a prison or  
23 camp project or activity for the first year or any part of it, and not  
24 to exceed five days for each month of any succeeding year or part of  
25 it.

26 (b) In the discretion of the director [COMMISSIONER] the same  
27 allowance may also be made to a prisoner performing exceptionally  
28 meritorious service or performing duties of outstanding importance in  
29 connection with institutional operations.

1 (c) The allowance is in addition to commutation of time for  
2 good conduct, and under the same terms and conditions and without  
3 regard to length of sentence.

4 \* Sec. 19. AS 33.20.030 is amended to read:

5 Sec. 33.20.030. DISCHARGE. A prisoner shall be released at  
6 the expiration of his term of sentence less the time deducted for  
7 good conduct. A certificate of deduction shall be entered on the  
8 commitment by the warden, keeper, or the director [COMMISSIONER].

9 \* Sec. 20. AS 33.20.060 is amended to read:

10 Sec. 33.20.060. RESTORATION OF LOST GOOD TIME. The director  
11 [COMMISSIONER] may restore forfeited or lost good time or such portion  
12 of it which he considers proper upon recommendation of the keeper or  
13 person in charge of the penal or correctional institution in which  
14 the prisoner is incarcerated.

15 \* Sec. 21. AS 33.20 is amended by adding a new section to read:

16 Sec. 33.20.100. DEFINITIONS. In this chapter "director" means  
17 the director of the division of corrections.

18 \* Sec. 22. AS 33.25.050 is amended to read:

19 Sec. 33.25.050. IMPLEMENTATION OF COMPACT. The director of the  
20 division of corrections [COMMISSIONER OF HEALTH AND SOCIAL SERVICES]  
21 may enter into such contracts on behalf of the State of Alaska as may  
22 be appropriate to implement the participation of this state in the  
23 Western Interstate Corrections Compact under art. III of the compact.  
24 No contract is of any force or effect until approved by the commis-  
25 sioner of administration.

26 \* Sec. 23. AS 33.30 is amended to read:

27 Sec. 33.30.010. DIRECTOR [COMMISSIONER] TO CONTROL AND MANAGE  
28 STATE PRISON FACILITIES. The director [COMMISSIONER] has control and  
29 management of state prison facilities.

1           Sec. 33.20.020. DIRECTOR [COMMISSIONER] TO ESTABLISH AND  
2 ADMINISTER PRISON FACILITIES. The director [COMMISSIONER] shall  
3 establish prison facilities and classify the prisoners in prison  
4 facilities. He shall provide for the safety, subsistence, proper  
5 government, and discipline of prisoners. He shall establish programs  
6 for the treatment, care, rehabilitation and reformation of prisoners.

7           Sec. 33.30.030. DIRECTOR [COMMISSIONER] TO ADOPT RULES AND  
8 REGULATIONS. The director [COMMISSIONER] shall adopt rules and  
9 regulations necessary to carry out the purpose of this chapter.

10          Sec. 33.30.040. DUTY OF DIRECTOR [COMMISSIONER] TO PROVIDE  
11 PRISON FACILITIES. The director [COMMISSIONER] shall provide suitable  
12 prison facilities for the safekeeping, housing, care and subsistence  
13 of all persons charged or convicted of offenses against the state,  
14 or held as witnesses, or otherwise, under authority of the law of the  
15 state.

16          Sec. 33.30.050. DIRECTOR [COMMISSIONER] TO PROVIDE MEDICAL  
17 SERVICES. The director [COMMISSIONER] shall detail physicians, nurses,  
18 and psychiatrists, or their aides, and laboratory technicians, em-  
19 ployed by the division [DEPARTMENT] to any prison facility where  
20 state prisoners are detained or confined, for the purpose of furnishing  
21 necessary medical services, including examinations for communicable  
22 and infectious diseases. However, if medical services cannot be  
23 furnished by physicians, nurses, psychiatrists, or their aides, and  
24 laboratory technicians, regularly employed by the division [DEPARTMENT],  
25 the director [COMMISSIONER] may contract with private practitioners  
26 located in the area of a prison facility to furnish these services.  
27 The cost of contracted services shall be paid out of appropriations  
28 made to the division [DEPARTMENT].

29          Sec. 33.30.055. CONTRABAND ARTICLES INTO OR OUT OF PRISONS

1 PROHIBITED. A person who, contrary to a rule or regulation promul-  
2 gated by the director [COMMISSIONER OF HEALTH AND SOCIAL SERVICES],  
3 (1) introduces or attempts to introduce a contraband article, as  
4 defined by the director [COMMISSIONER], into or upon the grounds of  
5 a state prison or state correctional facility; or (2) takes or sends  
6 or attempts to take or send from the grounds of a state prison or  
7 state correctional facility a contraband article, as defined by the  
8 director [COMMISSIONER], is punishable by imprisonment for not more  
9 than one year, or by a fine of not more than \$500, or by both.

10 Sec. 33.30.060. DIRECTOR [COMMISSIONER] MAY CONTRACT FOR CON-  
11 FINEMENT AND CARE OF PRISONERS. (a) The director [COMMISSIONER]  
12 shall determine the availability of state prison facilities suitable  
13 for the detention and confinement of persons held under authority of  
14 state law. If the director [COMMISSIONER] determines that suitable  
15 state prison facilities are not available, he may enter into an  
16 agreement with the proper authorities of the United States, another  
17 state, or a political subdivision of this state to provide for the  
18 safekeeping, care, subsistence, proper government, discipline and to  
19 provide programs for the reformation and rehabilitation and treatment  
20 of prisoners. Prison facilities made available to the director  
21 [COMMISSIONER] by agreement may be in this state, or in any other  
22 state, territory or possession of the United States. The director  
23 [COMMISSIONER] shall not enter into an agreement with an authority  
24 unable to provide the degree or kind of safekeeping, care and sub-  
25 sistence required by the law of this state and the rules and regulations  
26 adopted by the director [COMMISSIONER].

27 (b) An authority, receiving physical custody for the purpose  
28 of incarceration of a person sentenced by a court under the terms  
29 of an agreement made under this section, shall be considered as acting

1 solely as agent of this state. This state retains jurisdiction over  
2 a person incarcerated in an institution of another state, the United  
3 States, or a political subdivision of this state.

4 (c) The attorney general of this state shall enforce an agree-  
5 ment made under this section in a civil suit.

6 Sec. 33.30.070. DIRECTOR [COMMISSIONER] MAY CONTRACT TO FURNISH  
7 FACILITIES TO UNITED STATES OR POLITICAL SUBDIVISION OF THIS STATE.  
8 The director [COMMISSIONER] may contract with the proper authorities  
9 of the United States or a political subdivision of this state to  
10 provide the services of state prison facilities for the safekeeping,  
11 care and subsistence of persons held under the authority of the law  
12 of their respective jurisdictions.

13 Sec. 33.30.080. DIRECTOR [COMMISSIONER] MAY LEASE STATE PRISON  
14 FACILITY TO POLITICAL SUBDIVISION. (a) The director [COMMISSIONER]  
15 may permit a political subdivision of this state to lease a state  
16 prison facility, or to use and operate a state prison facility, for  
17 the joint benefit of the political subdivision and the state if the  
18 director [COMMISSIONER] determines that operation of a state prison  
19 facility by a political subdivision would be in the best interests  
20 of the state.

21 (b) The agreement executed by the director [COMMISSIONER] shall  
22 provide that

23 (1) the state has the right to detain or confine persons  
24 held under authority of state law in it;

25 (2) the keeper of the prison facility is amenable to any  
26 order concerning a prisoner of any court of this state having juris-  
27 diction over that prisoner;

28 (3) the keeper shall observe all statutes and the rules  
29 and regulations adopted by the director [COMMISSIONER] relating to

1 the government of persons confined or detained in the prison facility;  
2 and

3 (4) the director [COMMISSIONER] or his authorized repre-  
4 sentative may inspect the premises at reasonable times to determine  
5 the conditions under which persons held under authority of state law  
6 are housed.

7 (c) The director [COMMISSIONER] may prescribe other conditions  
8 which he considers necessary to secure protection for the public at  
9 large and to provide for persons held or detained in the prison  
10 facility the quarters, care, subsistence, treatment for persons held  
11 and the programs for reformation and rehabilitation required by this  
12 chapter and the rules and regulations adopted under this chapter.

13 Sec. 33.30.090. COMMITMENT TO DIRECTOR [COMMISSIONER]. A  
14 person convicted of an offense against the state shall be committed  
15 to the custody of the director [COMMISSIONER] for the term of im-  
16 prisonment which the court directs.

17 Sec. 33.30.100. DIRECTOR [COMMISSIONER] TO DESIGNATE FACILITY.  
18 The director [COMMISSIONER] shall designate the facility where the  
19 sentence shall be served. The director [COMMISSIONER] may designate  
20 any available, suitable and appropriate facility for the service of  
21 sentence by a prisoner, whether or not it is maintained by the state,  
22 and whether it is inside or outside the judicial district where the  
23 prisoner was convicted, or whether or not it is in another state,  
24 territory or possession of the United States.

25 Sec. 33.30.110. DIRECTOR [COMMISSIONER] MAY DESIGNATE FACILITY  
26 FOR SERVICE OF TEMPORARY COMMITMENTS OR SENTENCES OF ONE YEAR OR LESS.  
27 The director [COMMISSIONER] may designate a suitable state facility  
28 or a suitable facility made available to the state by agreement or  
29 contract, to which all persons sentenced to serve a term of one year

1 or less, or detained on temporary commitment, shall be committed.  
2 The court may make commitment for the term it directs, or order  
3 temporary commitment to the custody of the keeper or person in  
4 charge of the designated facility.

5 Sec. 33.30.120. TRANSFER OF PRISONERS. The director [COMMIS-  
6 SIONER] may order a prisoner transferred from one facility to another.

7 Sec. 33.30.130. DUTY OF THE COMMISSIONER OF PUBLIC SAFETY TO  
8 PROVIDE FOR PERSONS PENDING COMMITMENT. (a) The commissioner of  
9 public safety shall provide for the subsistence, care and safekeeping  
10 in suitable quarters of a person arrested or held under the authority  
11 of state law pending arraignment or commitment by a court to the  
12 custody of the director [COMMISSIONER OF HEALTH AND SOCIAL SERVICES]  
13 or to the custody of the keeper or person in charge of a prison  
14 facility designated in advance by the director [COMMISSIONER OF HEALTH  
15 AND SOCIAL SERVICES].

16 (b) The commissioner of public safety is responsible for trans-  
17 porting prisoners to and from the court having jurisdiction over  
18 them. He is responsible for delivering prisoners to a prison facil-  
19 ity upon commitment by a court or upon transfer of a prisoner from  
20 one prison facility to another whether inside or outside the state.

21 Sec. 33.30.140. PLACE OF SERVICE OF SENTENCE BY PRISONER.

22 (a) A person convicted of an offense against the state and sentenced  
23 to a term of imprisonment of more than one year may be confined in a  
24 penitentiary or reformatory or other prison facility designated by  
25 the director [COMMISSIONER].

26 (b) A sentence for an offense punishable by imprisonment of  
27 one year or less may not be served in a penitentiary without the  
28 consent of the prisoner.

29 Sec. 33.30.150. VISITATION PRIVILEGES. An honor prisoner with

1 good behavior serving a sentence of one year or more may be permitted  
2 as a privilege and not as a right to visit with his family at a place  
3 other than his place of confinement and at his own expense for a  
4 period not exceeding one week nor more frequently than once each six  
5 months under rules and regulations adopted by the director [COMMIS-  
6 SIONER] and in his sole discretion.

7 Sec. 33.30.160. TRANSPORTATION OF PRISONERS. (a) The cost of  
8 transporting or transferring a prisoner, either inside or outside  
9 the state, after temporary or final commitment shall be paid from  
10 the appropriation to the Department of Public Safety.

11 (b) The director [COMMISSIONER] shall adopt regulations govern-  
12 ing the furnishing of transportation, discharge payments, and clothing  
13 to prisoners upon release at any stage of criminal proceedings.

14 Sec. 33.30.170. EXPENSES OF PRISONERS TO BE PAID BY THE DIVISION  
15 [DEPARTMENT]. Expenses of detention or confinement of prisoners under  
16 the laws of this state in prison facilities shall be paid out of the  
17 appropriations provided for the division [DEPARTMENT].

18 Sec. 33.30.180. COPY OF COMMITMENT. When a prisoner is com-  
19 mitted to the custody of the director [COMMISSIONER], or to the keeper  
20 or person in charge of a designated prison facility by virtue of a  
21 writ, warrant, or other form of commitment, a copy of it shall be de-  
22 livered to the officer as his authority to hold the prisoner. The  
23 original writ, warrant, or other commitment shall be returned to the  
24 proper court or officer, with the officer's return endorsed on it.

25 Sec. 33.30.190. KEEPER OF PRISON FACILITY MAY ADMINISTER OATHS  
26 AND ACKNOWLEDGMENTS. The keeper of a prison facility or his assistant  
27 may administer oaths to and take acknowledgments from a prisoner but  
28 may not demand or accept a fee or compensation for this.

29 Sec. 33.30.200. DEFINITIONS. In this chapter, unless the

1 context otherwise requires,

2 [(1) "COMMISSIONER" MEANS THE COMMISSIONER OF THE DEPARTMENT  
3 OF HEALTH AND SOCIAL SERVICES OR HIS DESIGNEE;]

4 (2) "court means the supreme court, the superior court,  
5 the district magistrate court, or a justice or judge of a court;

6 [(3) "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND SOCIAL  
7 SERVICES;]

8 (4) "political subdivision" means a borough, city, town,  
9 village, or other area of local government in the state permitted by  
10 law to establish prison facilities;

11 (5) "prison facility" or "facility" means a building, camp,  
12 farm, place or area designated by the director [COMMISSIONER] for  
13 detention or confinement of persons accused or convicted of crime, or  
14 held under authority of law, and a "state prison facility" or "state  
15 facility" includes a facility owned by or leased, loaned or granted  
16 to the state by the United States or any political subdivision of this  
17 state;

18 (6) "prisoner" means a person detained or confined for any  
19 period of time in a prison facility, whether by arrest, conviction,  
20 order of court, or a person held as a witness, or otherwise;

21 (7) "temporary commitment" means any detention of a person  
22 under authority of law, but does not include confinement upon con-  
23 viction and judgment of a court of this state;

24 (8) "director" means the director of corrections;

25 (9) "division" means the division of corrections.

26 Sec. 33.30.250. WORK FURLOUGH. (a) When a person is convicted  
27 of a crime and is sentenced to a prison facility, or is imprisoned  
28 in the prison facility for nonpayment of a fine, for contempt, or as  
29 a condition of probation for a criminal offense, the director

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1 (5) Repealed by sec. 2 ch 67 SLA 1970.

2 (6) Repealed by sec. 2 ch 67 SLA 1970.

3 (7) whose presence in the community is likely to evoke  
4 adverse public reaction toward the inmate, the institution and the  
5 state.

6 Sec. 33.30.260. REHABILITATION FURLOUGHS. The director  
7 [COMMISSIONER] may authorize a prisoner to participate in educational,  
8 training, medical, psychiatric, or other rehabilitation programs  
9 approved by the director [COMMISSIONER]. When the prisoner is not  
10 participating in a rehabilitation program, he shall be confined in  
11 the jail unless the director [COMMISSIONER] directs otherwise. If  
12 the prisoner violates the conditions established for his conduct or  
13 custody, the director [COMMISSIONER] may order the balance of the  
14 prisoner's sentence to be spent in actual confinement. The wilful  
15 failure of a prisoner to return to the place of confinement not  
16 later than the expiration of any period during which he is authorized  
17 to be away from the place of confinement under this section, is an  
18 escape from the place of confinement and is punishable under the laws  
19 relating to escape.

20 \* Sec. 24. AS 44.29.020(9) is amended to read:

21 (9) management of state institutions, except juvenile and  
22 penal institutions;

23 \* Sec. 25. AS 47.10.010(a)(8) is amended to read:

24 (8) has been released by his parent or parents, or guardian,  
25 to the division [DEPARTMENT] for adoptive purposes; or

26 \* Sec. 26. AS 47.10.010(c) is amended to read:

27 (c) In a controversy concerning custody of a minor, the court  
28 may appoint a guardian of the person and property of a minor and may  
29 order support from either or both parents. Custody of a minor may

1 be given to the division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES],  
2 and payment of support money to the division [DEPARTMENT] may be  
3 ordered.

4 \* Sec. 27. AS 47.10.030(a)(2) is amended to read:

5 (2) clearly states that at the hearing it is possible that  
6 parental rights and responsibilities may be terminated forever and  
7 that the minor may at the hearing be committed to the division  
8 [DEPARTMENT OF HEALTH AND SOCIAL SERVICES] for possible adoption; and

9 \* Sec. 28. AS 47.10.060(d) is amended to read:

10 (d) A minor is unamenable to treatment under this chapter if he  
11 probably cannot be rehabilitated by treatment under this chapter  
12 before he reaches 21 years of age. In determining whether a  
13 minor is unamenable to treatment, the court may consider the serious-  
14 ness of the offense the minor is alleged to have committed, the minor's  
15 history of delinquency, the probable cause of the minor's delinquent  
16 behavior, and the facilities available to the division [OF YOUTH AND  
17 ADULT AUTHORITY] for treating the minor.

18 \* Sec. 29. AS 47.10.060(e) is amended to read:

19 (e) If a person who has been tried as an adult under this  
20 section has completed his sentence and five years have elapsed, he  
21 may petition (or the division [DEPARTMENT OF HEALTH AND SOCIAL  
22 SERVICES] may petition for him) the superior court to seal the records  
23 of all criminal proceedings against him and all punishments assessed  
24 against him, except for traffic offenses, while he was a minor. If  
25 the superior court finds that the punishment assessed against the  
26 person has had its intended rehabilitative effect, the superior court  
27 shall order the record of proceedings and the record of punishments  
28 sealed. Sealing the records restores civil rights removed because  
29 of a conviction. No person may ever use records so sealed for any

1       purpose.

2       \* Sec. 30. AS 47.10.070 is amended to read:

3               Sec. 47.10.070. HEARINGS. The court may conduct the hearing in  
4       an informal manner in the courtroom or in chambers. A hearing may  
5       be held before a young adult advisory panel in accordance with sec. 75  
6       of this chapter. The court shall give notice of the hearing to the  
7       division [DEPARTMENT] and it may send a representative to the hearing.  
8       The court shall also transmit a copy of the petition to the division  
9       [DEPARTMENT]. The representative of the division [DEPARTMENT] may  
10       also be heard at the hearing. The public shall be excluded from the  
11       hearing, but the court, in its discretion, may permit individuals  
12       to attend a hearing, if their attendance is compatible with the best  
13       interests of the minor. Nothing in this section may be applied in  
14       such a way as to deny a child his rights to a public trial and to a  
15       trial by jury.

16       \* Sec. 31. AS 47.10.080(b) is amended to read:

17               (b) If the court finds that the minor is delinquent, it shall

18                       (1) order the minor committed to the division [DEPARTMENT  
19       OF HEALTH AND SOCIAL SERVICES] for an indeterminate period of time  
20       not to extend past a specified date or in any event past the day  
21       the minor becomes 19, except that the division [DEPARTMENT] may  
22       petition the court for continued supervision for an additional one-  
23       year period for minors who have not responded to treatment, and may  
24       direct the minor's placement in a juvenile correctional school,  
25       detention home, or detention facility designated by the division  
26       [DEPARTMENT]; the minor may be released from placement or detention  
27       and placed on probation on order of the court; or

28                       (2) order the minor placed on probation, to be supervised  
29       by the division [DEPARTMENT], and release him to his parents,

1 guardian, or a suitable person; if the court orders the minor placed  
2 on probation, it may specify the terms and conditions of probation;  
3 the probation may be for an indeterminate period of time, not to  
4 extend past a specified date and in no event past the day the minor  
5 becomes 19, except that the division [DEPARTMENT] may petition the  
6 court for continued supervision for an additional one-year period  
7 for minors who have not responded to treatment.

8 \* Sec. 32. AS 47.10.080(c) is amended to read:

9 (c) If the court finds that the minor is dependent, it shall

10 (1) order the minor committed to the division [DEPARTMENT]  
11 for an indeterminate period of time not to exceed the date the  
12 minor becomes 19 years of age, except that the division [DEPARTMENT]  
13 may petition the court for continued supervision for an additional  
14 one-year period for minors who have not responded to treatment;

15 (2) order the minor released to his parents, guardian,  
16 or some other suitable person, and, in appropriate cases, order the  
17 parents, guardian, or other person to provide medical or other care  
18 and treatment; if the court releases the minor, it shall direct the  
19 division [DEPARTMENT] to supervise the care and treatment given to  
20 the minor; the division [DEPARTMENT'S] supervision may not extend  
21 past the date the minor reaches majority, except that the division  
22 [DEPARTMENT] may petition the court for continued supervision for  
23 an additional one-year period for minors who have not responded to  
24 treatment; or

25 (3) by order, terminate parental rights and responsibilities  
26 of one or both parents and commit the child to the division  
27 [DEPARTMENT] or to a legally appointed guardian of the person of the  
28 child, if one of the following conditions exists:

29 (A) each parent, or the surviving parent, or one

1 parent if the other has been deprived of custody and visitation  
2 rights wishes to relinquish the child to the division  
3 [DEPARTMENT] or to a legally appointed guardian of the person  
4 of the child for adoptive purposes, and the relinquishment is  
5 in writing, signed and acknowledged before the court or duly  
6 authorized representative of the division [DEPARTMENT] and  
7 filed with the court;

8 (B) the child has been abandoned for a period of  
9 not less than six months by

10 (i) both parents, or

11 (ii) the surviving parent, or

12 (iii) one parent if the other has been deprived  
13 of custody and visitation rights;

14 (C) each parent, the surviving parent, or one parent  
15 if the other has been deprived of custody and visitation rights  
16 has been judicially determined to be of unsound mind and the  
17 disability has not been removed and the parent has been hos-  
18 pitalized for reasons of mental illness diagnosed as permanent or  
19 of long duration; or

20 (D) each parent, or the surviving parent, or one  
21 parent if the other has been judicially deprived of custody and  
22 visitation rights, has demonstrated by his conduct, proven by  
23 clear and convincing proof amounting to more than a preponderance  
24 of the evidence that he is unfit to continue to exercise his  
25 parental rights and responsibilities.

26 \* Sec. 33. AS 47.10.080(d) is amended to read:

27 (d) An order issued under (c)(3) of this section authorizes  
28 the director [COMMISSIONER OF HEALTH AND SOCIAL SERVICES] or his  
29 designee or the guardian of the person of the child to consent to

1 the adoption of the child.

2 \* Sec. 34. AS 47.10.080(f) is amended to read:

3 (f) A minor found to be delinquent, a child in need of super-  
4 vision, or dependent is a ward of the court as long as he is committed  
5 to the division [DEPARTMENT] or the division [DEPARTMENT] has the  
6 power to supervise his actions. The court shall review an order  
7 made under (b) or (c)(1) or (2) or (j) of this section annually, and  
8 may review the order more frequently to determine if continued  
9 placement, probation, or supervision is in the best interest of the  
10 minor and the public, and to determine if the minor is being treated  
11 fairly. The division [DEPARTMENT] or the minor's parents or guardian  
12 is entitled to a review on application. The minor need not be  
13 present at the review.

14 \* Sec. 35. AS 47.10.080(h) is amended to read:

15 (h) The division [DEPARTMENT] shall pay all court costs incurred  
16 in all proceedings in connection with the adjudication of delinquency  
17 under this chapter, including hearings which result in the release  
18 of the minor.

19 \* Sec. 36. AS 47.10.080(i) is amended to read:

20 (i) A minor, his parents or guardian acting on his behalf, or  
21 the division [DEPARTMENT] may appeal a judgment or order, or the  
22 stay, modification, setting aside, revocation, or enlargement of a  
23 judgment or order issued by the court under this chapter.

24 \* Sec. 37. AS 47.10.100 is amended to read:

25 Sec. 47.10.100. RETENTION OF JURISDICTION OVER MINOR. (a) The  
26 court retains jurisdiction over the case and may at any time stay  
27 execution, modify, set aside, revoke, or enlarge a judgment or order,  
28 or grant a new hearing, in the exercise of its power of protection  
29 over the minor and for his best interest, until he becomes 19 years

1 of age, unless sooner discharged by the court, except that the  
2 division [DEPARTMENT] may petition the court for continued supervision  
3 for an additional one-year period for minors who have not responded  
4 to treatment. An application for any of these purposes may be made  
5 by the parent, guardian, or custodian acting in behalf of the minor,  
6 or the court may, on its own motion, and after reasonable notice  
7 to interested parties and the appropriate agency [DEPARTMENT], take  
8 action which it considers appropriate.

9 (b) If the court determines at a rehearing that it is for  
10 the best interests of the minor that he be released to the care or  
11 custody of his parent, guardian, or custodian, it may enter an order  
12 to that effect and the minor is discharged from the control of the  
13 division [DEPARTMENT].

14 (c) If a minor is adjudicated a delinquent, a child in need of  
15 supervision, or a dependent before his 18th birthday, the court may  
16 retain jurisdiction over him after his 18th birthday for the purpose  
17 of supervising his rehabilitation, but the court's jurisdiction  
18 over him under this chapter never extends beyond his 19th birthday,  
19 except that the division [DEPARTMENT] may petition the court for  
20 continued supervision for an additional one-year period for minors  
21 who have not responded to treatment. The division [DEPARTMENT] may  
22 retain jurisdiction over a child between his 18th and 19th birthdays  
23 for the purpose of supervising his rehabilitation, if he is  
24 committed to the custody of the division [DEPARTMENT] before his 18th  
25 birthday, except that the division [DEPARTMENT] may petition the  
26 court for continued supervision for an additional one-year period  
27 for minors who have not responded to treatment.

28 \* Sec. 38. AS 47.10.110 is amended to read:

29 Sec. 47.10.110. APPOINTMENT OF GUARDIAN OR CUSTODIAN. When,

1 in the course of a proceeding under this chapter, it appears to the  
2 court that the welfare of a minor will be promoted by the appointment  
3 of a guardian or custodian of his person, the court may make the  
4 appointment. The court shall have a summons issued and served upon  
5 the parents of the minor, if they can be found, in a manner and  
6 within a time before the hearing which the court considers reasonable.  
7 The court may determine whether the father, mother, or the division  
8 [DEPARTMENT OF HEALTH AND SOCIAL SERVICES] shall have the custody  
9 and control of the minor. If the minor is over 14 years of age, his  
10 desires in the matter shall be given consideration by the court.

11 \* Sec. 39. AS 47.10.140(b) is amended to read:

12 (b) A peace officer who has a minor detained under (a) of this  
13 section shall immediately, and in no event more than 12 hours later,  
14 notify the court, the minor's parents or guardian, and the division  
15 [DEPARTMENT OF HEALTH AND SOCIAL SERVICES] of the officer's action.  
16 The division [DEPARTMENT] may file with the court a petition alleging  
17 delinquency before the detention hearing.

18 \* Sec. 40. AS 47.10.140(f) is amended to read:

19 (f) A peace officer may detain a minor who is evading the person  
20 having legal custody of him if the minor is not otherwise subject to  
21 arrest or detention under (a) of this section, for the sole purpose  
22 of either (1) returning the minor to the person having legal custody  
23 of him or (2) if the minor prefers, taking him to an office specified  
24 by the division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES], facility  
25 or contract agency of the division [DEPARTMENT OF HEALTH AND SOCIAL  
26 SERVICES], where such exists in the community. Immediately upon  
27 detaining a minor under this provision, the peace officer shall advise  
28 him of his right to social services under sec. 142(b) of this chapter,  
29 and, if known, the peace officer shall advise the person having the

1 legal custody of the minor of his detention.

2 \* Sec. 41. AS 47.10.140(g) is amended to read:

3 (g) No minor who is detained under (f) of this section may be  
4 detained in a jail or other facility unless kept out of contact with  
5 adult persons convicted or accused of a crime. No minor may be  
6 detained in a jail or other detention facility which has not been  
7 approved by the division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES]  
8 before detention of the minor.

9 \* Sec. 42. AS 47.10.142 is amended to read:

10 Sec. 47.10.142. EMERGENCY CUSTODY AND TEMPORARY PLACEMENT  
11 HEARING. (a) The division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES]  
12 may take emergency custody of a minor upon discovering any of the  
13 following circumstances:

14 (1) the minor has been abandoned;

15 (2) the minor has been grossly neglected by his parents  
16 or guardian, as "neglect" is defined in AS 47.17.070(5), so that  
17 immediate removal from his surroundings is, in the determination of  
18 the division [DEPARTMENT], necessary to protect his life;

19 (3) the minor has been abused, as "abuse" is defined in  
20 AS 47.17.070(1), so that immediate medical attention is necessary, in  
21 the determination of the division [DEPARTMENT].

22 (b) A minor who has left home and is evading the person having  
23 legal custody of him may obtain the services of the division  
24 [DEPARTMENT]. The division [DEPARTMENT] shall assess the situation  
25 and furnish the minor with the social services it considers appro-  
26 priate to protect the well-being of the minor and to preserve his  
27 family life if preserving it is considered desirable under the  
28 circumstances. If, after assessing the situation, considering the  
29 wishes of the minor, and furnishing appropriate social services,

1 the division [DEPARTMENT] considers it necessary, the division  
2 [DEPARTMENT] may take emergency custody of the minor.

3 (c) When a child is taken into custody under (a) or (b) of  
4 this section, the division [DEPARTMENT] shall immediately, and in no  
5 event more than 12 hours later unless prevented by lack of communi-  
6 cation facilities, notify the parents or the person or persons having  
7 custody of the child and the court of the action and file with the  
8 court a petition alleging dependency.

9 (d) The court shall immediately, and in no event more than 48  
10 hours after being notified unless prevented by lack of transportation,  
11 hold a hearing at which the minor, if his health permits, and his  
12 parents or guardian, if they can be found, shall be permitted to be  
13 present. The court shall determine whether probable cause exists  
14 for believing the minor to be a dependent minor, as defined in  
15 sec. 290(3) of this chapter. The court shall inform the minor, and  
16 his parents or guardian if they can be found, of the reasons given  
17 as constituting probable cause and the reasons given as authorizing  
18 his temporary placement.

19 (e) If the court finds that probable cause exists it shall  
20 order the minor committed to the division [DEPARTMENT] for temporary  
21 placement, or order him returned to the custody of his parents or  
22 guardian subject to the division [DEPARTMENT'S] supervision of his  
23 care and treatment. If the court finds no probable cause it shall  
24 order the minor returned to the custody of his parents or guardian.

25 \* Sec. 43. AS 47.10.150 is amended to read:

26 Sec. 47.10.150. GENERAL POWERS OF DIVISION [DEPARTMENT] OVER  
27 JUVENILE INSTITUTIONS. The division [DEPARTMENT OF HEALTH AND SOCIAL  
28 SERVICES] may

29 (1) purchase, lease or construct buildings or other

1 facilities for the care, detention, rehabilitation and education of  
2 dependent or delinquent minors;

3 (2) adopt plans for construction of juvenile homes,  
4 juvenile detention facilities, and other juvenile institutions;

5 (3) adopt standards and regulations under this chapter for  
6 the design, construction, repair, maintenance and operation of all  
7 juvenile detention homes, facilities, and institutions;

8 (4) inspect periodically each juvenile detention home,  
9 facility, or other institution to insure that the standards and regu-  
10 lations adopted are being maintained;

11 (5) reimburse cities maintaining and operating juvenile  
12 detention homes and facilities;

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

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

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

19 (9) accept donations, gifts or bequests of money or other  
20 property for use in construction of juvenile homes, institutions or  
21 detention facilities;

22 (10) operate juvenile homes when municipalities are unable  
23 to do so;

24 (11) receive, care for, and place in a juvenile detention  
25 home, the minor's own home, a foster home, or correctional school  
26 or treatment institution all minors committed to its custody under  
27 this chapter.

28 \* Sec. 44. AS 47.10.160 is amended to read:

29 Sec. 47.10.160. DUTIES OF DIVISION [DEPARTMENT]. The division

1 [DEPARTMENT OF HEALTH AND SOCIAL SERVICES] shall

2 (1) accept all minors committed to the custody of the  
3 division [DEPARTMENT] and all minors who are involved in a written  
4 agreement under sec. 230(c) of this chapter, and provide for the  
5 welfare, control, care, custody, and placement of these children in  
6 accordance with the provisions of this chapter;

7 (2) require and collect statistics on juvenile offenses and  
8 offenders in Alaska;

9 (3) conduct studies and prepare findings and recommenda-  
10 tions on the need, number, type, construction, maintenance, and  
11 operating costs of juvenile homes, facilities and the other institu-  
12 tions, and adopt and submit a plan for construction of the homes,  
13 facilities, and institutions when needed, together with a plan for  
14 financing the construction programs;

15 (4) examine, where possible, all facilities, institutions,  
16 and places of juvenile detention in Alaska and inquire into their  
17 methods and the management of juveniles in them.

18 \* Sec. 45. AS 47.10.170(a) is amended to read:

19 (a) A city having a population of 1700 or more, according to  
20 the latest decennial census, or found by the division [DEPARTMENT]  
21 to have a present population of 1700 or more may maintain and operate  
22 a juvenile detention home or facility.

23 \* Sec. 46. AS 47.10.180 is amended to read:

24 Sec. 47.10.180. OPERATION OF HOMES AND FACILITIES. (a) The  
25 division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES] shall adopt  
26 standards and regulations for the operation of juvenile detention  
27 homes and juvenile detention facilities in the state.

28 (b) The division [DEPARTMENT] may enter into contracts with  
29 cities and other governmental agencies for the detention of juveniles

1 before and after commitment by juvenile authorities. No contract  
2 may be made for longer than one year.

3 \* Sec. 47. AS 47.10.190 is amended to read:

4 Sec. 47.10.190. CONDITIONS GOVERNING DETENTION. When the court  
5 commits a minor to the custody of the division [DEPARTMENT], the  
6 division [DEPARTMENT] shall arrange to place the juvenile in a deten-  
7 tion home, facility or another suitable place which the division  
8 [DEPARTMENT] designates for that purpose. A juvenile detained in a  
9 jail or similar institution at the request of the division [DEPARTMENT]  
10 shall be held in custody in a room or other place apart and separate  
11 from adults.

12 \* Sec. 48. AS 47.10.200 is amended to read:

13 Sec. 47.10.200. RELEASING JUVENILES AFTER COMMITMENT. A juvenile  
14 delinquent who by his conduct gives sufficient evidence that he has  
15 reformed may be released at any time under the conditions and regu-  
16 lations which the division [DEPARTMENT] considers proper, if it appears  
17 to the satisfaction of the division [DEPARTMENT] that there is a  
18 reasonable probability that the juvenile will remain at liberty  
19 without violating the law.

20 \* Sec. 49. AS 47.10.210 is amended to read:

21 Sec. 47.10.210. YOUTH COUNSELLORS. The division [DEPARTMENT]  
22 may employ youth counsellors. Youth counsellors shall exercise the  
23 duties of probation officers and shall prepare preliminary investi-  
24 gations for the information of the court. They shall also carry out  
25 other duties in the care and treatment of minors which are consistent  
26 with the intent of this chapter. Youth counsellors have the powers  
27 of a peace officer with respect to the service of process, the making  
28 of arrests of minors who violate state or municipal law, and the  
29 execution of orders of the court relating to juveniles. The youth

1 counsellors shall assist and advise the courts in the furtherance  
2 of the welfare and control of minors under the court's jurisdiction.

3 \* Sec. 50. AS 47.10.220 is amended to read:

4 Sec. 47.10.220. GRANTS-IN-AID. The division [DEPARTMENT OF  
5 HEALTH AND SOCIAL SERVICES] may accept grants-in-aid from the federal  
6 government or private foundations and may accept other gifts con-  
7 sistent with the purposes of this chapter.

8 \* Sec. 51. AS 47.10.230 is amended to read:

9 Sec. 47.10.230. POWERS AND DUTIES OF DIVISION [DEPARTMENT]  
10 OVER CARE OF CHILD. (a) The division [DEPARTMENT OF HEALTH AND SOCIAL  
11 SERVICES] shall arrange for the care of every child committed to its  
12 custody by placing him in a foster home or in the care of an agency or  
13 institution providing care for children inside or outside the state.  
14 The division [DEPARTMENT] may place a child in a suitable family  
15 home, with or without compensation, and may place a child released to  
16 it, in writing verified by the parent, or guardian or other person  
17 having legal custody, for adoptive purposes, in a home for adoption  
18 in accordance with existing law.

19 (b) The division [DEPARTMENT] may pay the costs of maintenance  
20 which are necessary to assure adequate care of the child, and may  
21 accept funds from the federal government which are granted to assist  
22 in carrying out the purposes of this chapter, or which are paid under  
23 contract entered into with a federal department or agency. No child  
24 under the care of the division [DEPARTMENT] may be placed in a family  
25 home or institution that does not maintain adequate standards of care.

26 (c) The division [DEPARTMENT] may receive, care for, and make  
27 appropriate placement of minors accepted for care for a period of up  
28 to six months on the basis of an individual voluntary written agree-  
29 ment between the minor's parent, legal guardian, or other person

1 having legal custody and the division [DEPARTMENT]. The agreement  
2 may include provisions for payment, in whole or in part, to the  
3 division [DEPARTMENT] for the minor's care and treatment. The  
4 agreement entered into shall not operate to prohibit a minor's parent,  
5 legal guardian, or other person who had legal custody from regaining  
6 care of the minor at any time.

7 \* Sec. 52. AS 47.10.240 is amended to read:

8 Sec. 47.10.240. ADEQUACY OF HOME OR INSTITUTION. (a) A repre-  
9 sentative of the division [DEPARTMENT] shall visit, as often as is  
10 considered necessary, every foster home or institution in which a  
11 child is placed, and if not satisfied as to the care given, may re-  
12 move the child from the foster home or institution and place him  
13 elsewhere.

14 (b) The person or institution receiving a child shall submit  
15 the reports the division [DEPARTMENT] requires as to the education,  
16 health and welfare of the child and the conditions under which he  
17 is living.

18 \* Sec. 53. AS 47.10.250 is amended to read:

19 Sec. 47.10.250. STANDARDS OF CARE. The division [DEPARTMENT OF  
20 HEALTH AND SOCIAL SERVICES] shall establish standards of care and  
21 regulations desirable for the welfare of every child under its care.

22 \* Sec. 54. AS 47.10.260 is amended to read:

23 Sec. 47.10.260. PAYMENT OF COSTS. The division [DEPARTMENT]  
24 shall pay the proper and necessary costs of the court and witnesses  
25 and other expenses necessarily incurred in the enforcement of  
26 secs. 230-260 of this chapter.

27 \* Sec. 55. AS 47.10.290 is amended by adding new paragraphs to read:

28 (8) "director" means the director of corrections;

29 (9) "division" means the division of corrections under

1 the Alaska Supreme Court.

2 \* Sec. 56. AS 33.05.080(2), AS 33.15.260(2) and (4), and AS 44.29.020(17)  
3 are repealed.

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