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Referred: Health, Welfare &
Education and Judiciary

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HARTIG, NAUGHTON, ORSINI,
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1 IN THE HOUSE

2 HOUSE BILL NO. 211

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to possession of depressant,
7 hallucinogenic and stimulant drugs."

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

9 * Section 1. AS 17.12.110(b) is amended to read:

10 (b) A person who violates a provision of this chapter other than
11 one mentioned in (a) of this section, or a person who violates a pro-
12 vision of this chapter relating to the possession or control of depres-
13 sant, hallucinogenic and stimulant drugs, when his possession or control
14 is for the purpose of sale or other disposal to another person, or when
15 his possession or control is on the premises of a public or private
16 school attended by persons less than 19 years of age or at a school or
17 community sponsored activity for persons less than 19 years of age,
18 is guilty of a felony and upon conviction is punishable as follows:

19 (1) for the first offense, by imprisonment for not more than
20 25 years, or by a fine of not more than \$20,000, or by both;

21 (2) for the second and subsequent offenses, by imprisonment
22 for any term of years or life, or by a fine of not more than \$25,000, or
23 by both.

24 * Sec. 2. AS 47.10.060(d) is amended to read:

25 (d) A minor is unamenable to treatment under this chapter if he
26 probably cannot be rehabilitated by treatment under this chapter before
27 he reaches 21 years of age. In determining whether a minor is unamen-
28 able to treatment, the court may consider the seriousness of the offense
29 the minor is alleged to have committed, the minor's history of delin-

1 quency, the probable cause of the minor's delinquent behavior, and
2 the facilities available to the division of youth and adult authority
3 for treating the minor. A second violation of the provisions of
4 AS 17.12 by a minor shall be considered to indicate that the minor is
5 unamenable to treatment under this chapter.
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