

BY OSE, DAVIS, HACKNEY AND
SPECKING

1 IN THE HOUSE

2 HOUSE BILL NO. 107

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

10 (a) Except as otherwise noted in this subsection a [A] person who
11 violates a provision of this chapter relating to the possession or
12 control of depressant, hallucinogenic and stimulant drugs, when his
13 possession or control is for his own use, is guilty of a misdemeanor and
14 upon conviction is punishable by imprisonment for not more than one year,
15 or by a fine of not more than \$1,000, or by both; however, a person
16 convicted of possessing or controlling a depressant, hallucinogenic or
17 stimulant drug on the premises of a public or private school attended
18 by persons less than 19 years of age or at a school or community
19 sponsored activity attended by persons of less than 19 years of age is
20 guilty of a felony and punishable under (b) of this section.

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

22 (d) A minor is unamenable to treatment under this chapter if he
23 violates for the second time the provisions of AS 17.12 or if he probably
24 cannot be rehabilitated by treatment under this chapter before he reaches
25 21 years of age. In determining whether a minor is unamenable to treat-
26 ment, the court may consider the seriousness of the offense the minor is
27 alleged to have committed, the minor's history of delinquency, the prob-
28 able cause of the minor's delinquent behavior, and the facilities avail-
29 able to the division of youth and adult authority for treating the minor.

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