

Original sponsor: Osterback and Parr

Offered: 4/27/77
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 333

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to care for children."

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

8 * Section 1. INTENT. It is the intent of this Act to provide for place-
9 ment of children in surroundings which are socially and culturally desirable
10 and with persons who are able to meet their special needs. Placement of
11 children with blood relatives will work to prevent loss of identity and self-
12 esteem, and provide for increased family and cultural stability, security and
13 solidarity.

14 * Sec. 2. AS 47.10.230(a) is amended to read:

15 (a) Subject to (e) and (f) of this section, the [THE] Department
16 of Health and Social Services shall arrange for the care of every child
17 committed to its custody by placing him in a foster home or in the care
18 of an agency or institution providing care for children inside or out-
19 side the state. The department may place a child in a suitable family
20 home, with or without compensation, and may place a child released to
21 it, in writing verified by the parent, or guardian or other person
22 having legal custody, for adoptive purposes, in a home for adoption in
23 accordance with existing law.

24 * Sec. 3. AS 47.10.230 is amended by adding new subsections to read:

25 (e) Notwithstanding any other provision of law, no child may be
26 placed in a foster home or in the care of an agency or institution
27 providing care for children, if a blood relative exists who requests
28 custody of the child. However, the department may retain custody of the
29 child and provide for its placement in the same manner as for other

1 children if it makes a determination, supported by the overwhelming
2 weight of the evidence, that the custody of the child by the blood
3 relative will result in serious physical or emotional damage. In making
4 that determination, poverty, including inadequate or crowded housing, on
5 the part of the blood relative, is not considered prima facie evidence
6 that serious physical or emotional damage to the child will occur.

7 (f) If a blood relative of the child specified under (e) of this
8 section exists and agrees that the child should be placed elsewhere,
9 before placement elsewhere the department shall fully communicate the
10 nature of the placement proceedings to the relative. Communication
11 under this section shall be made in the relative's native language, if
12 necessary. Nothing in this section or in (e) of this section applies to
13 child placement for adoptive purposes.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29