

Introduced: 1/16/79
Referred: Health, Education &
Social Services

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 34

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the placement of children in
7 state custody."

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

9 * Section 1. AS 47.10.230(e) is amended to read:

10 (e) A child in need of aid may not be placed in a foster home or
11 in the care of an agency or institution providing care for children if
12 a blood relative exists who requests custody of the child. However,
13 the department may retain custody of the child and provide for its
14 placement in the same manner as for other children if it makes a
15 determination, supported by clear and convincing evidence, that the
16 custody of the child by the blood relative will result in physical or
17 emotional damage. In making that determination, poverty, including
18 inadequate or crowded housing, on the part of the blood relative, is
19 not considered prima facie evidence that physical or emotional damage
20 to the child will occur. This determination may be appealed to the
21 superior court to hear the matter de novo.

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