

Introduced: 1/9/84  
Referred: Judiciary

1 IN THE SENATE

BY RAY

2

SENATE BILL NO. 320

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to dissolution of marriage."

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

8 \* Section 1. AS 25.24.200(a) is amended to read:

9

(a) A husband and wife together may petition the superior court

10 for the dissolution of their marriage under AS 25.24.200 - 25.24.260

11 if the following conditions exist at the time of filing the petition:

12 (1) incompatibility of temperament has caused the irremedi-  
13 able breakdown of the marriage;

14 (2) if there are minor children of the marriage or the wife  
15 is pregnant, the spouses have agreed

16 (A) on [WHICH SPOUSE OR THIRD PARTY SHALL BE AWARDED  
17 CUSTODY OF EACH MINOR CHILD OF THE MARRIAGE AND THE EXTENT OF  
18 VISITATION, INCLUDING VISITATION BY GRANDPARENTS AND OTHER PER-  
19 SONS, AND] support to be provided on the children's behalf,  
20 whether the payments are to be made through the child support  
21 enforcement agency and the tax consequences of that agreement;  
22 and

23 (B) if the court has jurisdiction under AS 25.30.020  
24 and is an appropriate forum under AS 25.30.050 and 25.30.060,  
25 which spouse or third party shall be awarded custody of each  
26 minor child of the marriage and the extent of visitation, includ-  
27 ing visitation by grandparents and other persons;

28 (3) the spouses have agreed as to the distribution of all  
29 jointly owned real and personal property and the payment of spousal

1 support, if any, and the tax consequences resulting from these pay-  
2 ments; and

3 (4) the spouses have agreed as to the payment of all unpaid  
4 obligations incurred by either or both of them, and as to payment of  
5 obligations incurred jointly in the future.

6 \* Sec. 2. AS 25.24.210(e) is amended to read:

7 (e) If the petition is brought by both spouses under AS 25.24.-  
8 200(a), the petition shall state in detail the terms of agreement [AS]  
9 between the spouses with regard to the custody of children, child  
10 support, visitation, spousal support and tax consequences, if any,  
11 division of property, and allocation of debts, and, in addition, shall  
12 state

13 (1) the respective occupations of the spouses;

14 (2) the income, assets, and liabilities of the respective  
15 spouses at the time of filing the petition;

16 (3) the date and place of the marriage;

17 (4) the name, date of birth, and current custodial status  
18 of each minor child born of the marriage or adopted by the petitioners  
19 and facts showing whether the court has jurisdiction under AS 25.30.-  
20 020 and is an appropriate forum under AS 25.30.050 and 25.30.060 to  
21 determine custody of and visitation with the children;

22 (5) whether the wife is pregnant;

23 (6) other facts and circumstances that [WHICH] the peti-  
24 tioners believe should be considered; and

25 (7) any other relief sought by the spouses.

26 \* Sec. 3. AS 25.24.230(e) is amended to read:

27 (e) If the petition is brought by both spouses under AS 25.24.-  
28 200(a), the court shall restore either spouse's prior name, if so  
29 requested, and shall fully and specifically set out in the decree the

1 agreements of the spouses relating to child custody, child support,  
2 visitation, spousal support, division of property, and the allocation  
3 of the obligations of the spouses; and the court shall order the  
4 performance of those agreements. The court shall also state, in the  
5 decree, whether child support payments are to be made through the  
6 child support enforcement agency. The [IF THE PETITION IS BROUGHT BY  
7 ONE SPOUSE UNDER AS 25.24.200(b), THE] decree shall state that it does  
8 not bar future action on the issues not resolved in the decree if

9 (1) the petition is brought by one spouse under AS 25.24.-  
10 200(b);

11 (2) the court does not have jurisdiction under AS 25.30.020  
12 or is not the appropriate forum under AS 25.30.050 and 25.30.060 to  
13 enter an order for custody and visitation; or

14 (3) the court otherwise lacks jurisdiction to grant all of  
15 the relief requested.