

**HB**

**1966**



Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd., Suite 140  
Eagle River, Alaska 99577  
☎ (907) 694-6683  
FAX (907) 694-1015

- Session (Jan-May) -  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
☎ (907) 465-2199  
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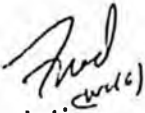
Toll free (800) 342-2199

## REPRESENTATIVE FRED DYSON

### MEMORANDUM

April 27, 2001

To: Senator Taylor,  
Chair, Senate Judiciary

From: Fred Dyson   
State Representative

RE: Request for consideration of HB 196, Legal Separation

I respectfully request that you schedule HB 196 for hearing at your earliest convenience.

Thank you.

- E-mail -  
Representative\_Fred\_Dyson  
@Legis.state.ak.us

- Internet -  
<http://www.akrepublicans.org>

Request for Hearing



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## REPRESENTATIVE FRED DYSON

### MEMORANDUM

December 19, 2001

To: Senator Taylor,  
Chair, Senate Judiciary

From: Fred Dyson  
State Representative

A handwritten signature in black ink, appearing to read "Fred Dyson", written over the printed name.

RE: Thanks

Thank you for your willingness to hear HB 196, my bill allowing for couples having marital problems to separate their financial affairs without going all the way through a divorce. This is particularly important for Christian people who generally think of divorce as an option only after they have exhausted all other possibilities. Seventeen other states have a provision for this kind of "separate maintenance". As you observed, Alaskan judges can and have made provisions for this under existing law. This new provision only makes it clearer, easier, and more evident by making it a part of our statutes.

In all of the hearings we had on the house side, no one spoke against the bill and it has the support of the administration. I would like to get the bill passed through the Senate early to avoid the end-of-session congestion, so I would appreciate you scheduling it in the first couple weeks of session.

Thanks again.

A handwritten signature in black ink, appearing to read "Fred Dyson", written below the typed name.

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Information  
Statement



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## REPRESENTATIVE FRED DYSON

### HB 196 Sponsor Statement

#### "An Act relating to legal separation"

Updated: April 18, 2001

Contact: Representative Fred Dyson's office at (907) 465-2199

For many troubled marriages, a Legal Separation would be very valuable while the individuals work on their own issues and relationships separately. Legal Separation allows the marriage partners to separate their property and financial affairs and establish custody, without the final step of a divorce.

In a relationship with one partner having problems with substance abuse, crime, domestic violence etc., an interim status, such as this Legal Separation, allows for a protective status for the victimized spouse while time indicates if the troubled partner will get on top of his/her problem.

For many Alaskans, religious values make divorce a very unattractive alternative, but a legal separation provides for the partners to protect their assets.

HB 196 adds a section of law that defines and sets the guidelines for Legal Separation.

At this time 17 other states allow for "Legal Separation".

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**SPONSOR  
STATEMENT**

**HB 196 Sectional Analysis**

Revised: April 18, 2001 LS0718\C

**Section 1:** Adds a new section of law that Provides for Legal Separation as an alternative to Divorce or Dissolution.

25.24.400 A husband and/or wife can file a complaint in superior court for legal separation and may only do so once per married couple.

25.24.410 The basis of the complaint must be incompatibility and that there is a legal, financial, social, or religious reason to remain legally married.

25.24.420 Either the husband or wife must be an Alaskan.

25.24.430 Provides for consolidation of legal separation effort and divorce effort if one of the parties escalates to a divorce.

25.24.450 A Legal Separation Decree will be entered with provisions for child custody and visitation, child support, spousal support, division of property and debts as circumstances dictate.

25.24.460 A couple with a decree of legal separation is still married.

**Section 2:** Gives the courts jurisdiction in an action for legal separation. This section is large, but the only change to existing law is on page 5, line 13 where "legal separation" is included with divorce.

**Section 3:** Amends Court rule 42(a) to allow consolidation of subsequent divorce and annulment actions with legal separation actions.

**Section 4:** A new section of law that defines the applicability of this act to divorce and separation actions filed before, on, or after the effective date of this act.

**Section 5:** Amends Court rules to require appropriate Reporting.

**Section 6:** Repeals Section 5 of this act on May 1, 2005. The purpose of this sunset is to generate re-evaluation of size of the reporting task.