HOUSE BILL NO. 151

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE BY REQUEST

Introduced: 2/3/95
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1   **"An Act relating to magistrate jurisdiction in presumptive death proceedings."**

2   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3   *** Section 1.** AS 22.15.120(a) is amended to read:

4   (a)   A magistrate shall preside only in cases and proceedings under

5   AS 22.15.040, 22.15.100, and 22.15.110, and as follows:

6   (1)   for the recovery of money or damages only when the amount

7   claimed, exclusive of costs, interest, and attorney fees, does not exceed $5,000;

8   (2)   for the recovery of specific personal property when the value of the

9   property claimed and the damages for the detention do not exceed $5,000;

10   (3)   for the recovery of a penalty or forfeiture, whether given by statute

11   or arising out of contract, not exceeding $5,000;

12   (4)   to give judgment without action upon the confession of the

13   defendant for any of the cases specified in this section, except for a penalty or

14   forfeiture imposed by statute;

15   (5)   to give judgment of conviction upon a plea of guilty or no contest

New Text Underlined [DELETED TEXT BRACKETED]

1   by the defendant in a criminal proceeding within the jurisdiction of the district court;

2   (6)   to hear, try, and enter judgments in all cases involving

3 misdemeanors that are not minor offenses [,] if the defendant consents in writing that

4 the magistrate may try the case;

5   (7)   to hear, try, and enter judgments in all cases involving minor

6 offenses and violations of ordinances of political subdivisions;

7   (8) for the extradition of fugitives as authorized under AS 12.70;

8   (9) to provide post-conviction relief under the Alaska Rules of Criminal

9 Procedure for any of the cases specified in (5), (6), or (7) of this section if the

10 conviction occurred in the district court**;**

11   **(10) for establishing the fact of death of any person in the manner**

12 **prescribed in AS 09.55.020 - 09.55.060**.