

Original

July

ESSRS

1 IN THE HOUSE BY MR. HURLEY + GREVEL

2 HOUSE BILL NO. 13

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to amend Section 61-3-2; Section
7 61-5-2 and 61-3-1, of Alaska Compiled Laws
8 Annotated, 1949, relating to the appoint-
9 ment of Executors and Administrators."

10 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

11 Section 1. That Section 61-3-2, of Alaska Compiled Laws
12 Annotated, 1949, be amended to read as follows:

13 "Section 61-3-2. NONRESIDENTS AND MINORS AS EXECUTORS. If
14 a person be named in a will as executor who is a non-
15 resident of the Territory or a minor, upon the removal of
16 such disability he is entitled to qualify as such execu-
17 tor, if he apply therefor within thirty days from the
18 removal of such disability, if otherwise competent. If in
19 the meantime an administrator with the will annexed has
20 been appointed, his powers and duties cease with the qua-
21 lification of such executor; but if another executor has
22 qualified and is acting as such they thereby become joint
23 executors. Provided, a person named as executor in any
24 last will and testament may be appointed to act as such
25 executor whether he be a resident of this Territory or not:
26 Provided further, that such nonresident executor shall
27 file a bond to be approved by the court and appoint an
28 (agent or) attorney in the precinct where such estate is
29 being probated, upon whom service of all papers may be

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made; such appointment to be in writing and filed by
the ^{probate court} clerk with other papers of such estate."

Section 2. That Section 61-5-2, of Alaska Compiled Laws
Annotated, 1949, be amended to read as follows:

Removal for nonresidence ... Proceedings
"Section 61-5-2. ~~NONRESIDENT EXECUTOR OR ADMINISTRATOR MAY~~
~~BE REMOVED.~~ *Notice* If an executor, excepting those appointed
under the provisions of Section 61-3-2, ^{ACLA} Alaska Compiled
Laws Annotated, 1949, as amended by this Act, or an
administrator become a nonresident of the Territory he
may be removed and his letters revoked in the manner
prescribed in the last section, except that the notice
may be given by publication or posting for such time
as the court or judge thereof may direct."

Section 3. That Section 61-3-1, of ^{ACLA} ~~Alaska Compiled Laws~~
~~Annotated, 1949, be amended to read as follows:~~

Persons Dis-
"Section 61-3-1. ~~WHO NOT QUALIFIED TO ACT AS EXECUTOR OR~~
~~ADMINISTRATOR.~~ The following persons are not qualified
to act as executors or administrators: nonresidents of
the Territory, minors, judicial officers, persons of
unsound mind, or who have been convicted of any felony
or of a misdemeanor involving moral turpitude. Provided
that nonresidents of the Territory may be appointed as
executors as provided for in Section 61-3-2, of ^{ACLA} Alaska
Compiled Laws Annotated, 1949, as by this Act amended."

Passed February 12, 1953