

1 IN THE HOUSE

BY MR. RILEY BY REQUEST

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HOUSE BILL NO. 104

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IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

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For an Act entitled: "An Act pertaining to actions against  
7 public corporations; amending Section  
8 56-2-2, ACLA 1949, by adding a new sub-  
9 section thereto."

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

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Section 1. Section 56-2-2, ACLA 1949, is hereby amended

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to read as follows:

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Sec. 56-2-2. ACTIONS AGAINST PUBLIC CORPORATIONS.

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(a) An action may be maintained against any of  
15 the public corporations in the Territory mentioned in the  
16 last preceding section in its corporate character, and  
17 within the scope of its authority, or for an injury to the  
18 rights of the plaintiff arising from some act or omission  
19 of such public corporation.

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(b) All claims for damages against any public

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corporation must be presented to the governing body thereof  
22 W and filed with its clerk within 90 days after the time that  
23 such claims for damages occurred; provided, that if the  
24 M claimant is incapacitated from verifying and filing his  
25 A claim for damages within said 90 days, or if the claimant  
26 T is a minor, then the claim may be verified or presented on  
27 T behalf of the claimant by any relative, or attorney, or  
28 E agent representing the claimant.

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No ordinance or resolution shall be passed

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1 allowing such claim or any part thereof, or appropriating  
2 any money or other property to pay or satisfy the same or  
3 any part thereof, until the claim has been referred to the  
4 E proper department or officer or employee of said public  
5 N corporation, or until such department, officer or employee  
6 D has made his report to the said governing body thereof  
7 pursuant to such reference.

8 N All such claims for damages must accurately  
9 E locate and describe the defect that caused the injury,  
10 W reasonably describe the injury and state the time that it  
11 occurred, give the residence for six months last past of  
12 N claimant, contain the items of damage claimed, and be  
13 A sworn to by the claimant or a relative, attorney or agent  
14 T of the claimant.

15 T No action shall be maintained against any public  
16 E corporation for any claim for damages until the same has  
17 R been presented to the said governing body thereof and 60  
18 days have elapsed after such presentation.

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