

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 295

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the district magistrate  
7 courts; amending subsec. (1)(e), Sec. 8,  
8 subsec. (1), Sec. 17, subsec. (1), Sec. 16,  
9 and subsec. (3), Sec. 20, Art. I, Ch. 184,  
10 SLA 1959; adding a new subsection to subsec.  
11 (2), Sec. 8, Art. I, Ch. 184, SLA 1959; and  
12 repealing subsec. (5), Sec. 19, Art. I, Ch.  
13 184, SLA 1959."

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

15 Section 1. Subsec. (e) of subsec. (1), Sec. 8, Art. I, Ch.  
16 184, SLA 1959 is amended to read as follows:

17 (e) To act as examining magistrates in preliminary  
18 examinations in criminal proceedings; to set, receive and  
19 forfeit bail and to order the release of defendants under  
20 bail.

21 Sec. 2. Subsec. (1), Sec. 17, Art. I, Ch. 184, SLA 1959 is  
22 amended to read as follows:

23 (1) Each district magistrate shall receive annual  
24 compensation to be determined by the supreme court, but in  
25 any event not to exceed \$12,500.00 [\$10,000.00]. Such com-  
26 pensation shall be payable annually in twelve equal monthly  
27 installments.

28 Sec. 3. Subsec. (1), Sec. 16, Art. I, Ch. 184, SLA 1959 is  
29 amended to read as follows:

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1 (1) DISTRICT MAGISTRATE. A district magistrate,  
2 while holding office, may not practice law, except before a  
3 federal district court or federal agency and when such prac-  
4 tice does not interfere with the performance of his official  
5 duties as magistrate, and except as herein otherwise pro-  
6 vided, engage in the conduct of any other profession, voca-  
7 tion or business for profit or compensation, hold office in  
8 a political party, or hold any other office or position of  
9 profit under the United States, the state or its political  
10 subdivisions, except that the district magistrate may be  
11 appointed deputy clerk of the superior court and may hold  
12 the office of United States commissioner. Any district  
13 magistrate filing for an elective public office forfeits  
14 his judicial position.

15 Sec. 4. Subsec. (3), Sec. 20, Art. I, Ch. 184, SLA 1959 is  
16 amended to read as follows:

17 (3) TIME FOR APPEAL: TRIAL DE NOVO. Appeals  
18 shall be taken within thirty days from the date of entry of  
19 the judgment. All appeals shall be on the record unless the  
20 superior court, in its discretion, shall grant a trial de  
21 novo, in whole or in part. [TRIALS DE NOVO.]

22 Sec. 5. Subsec. (2), Sec. 8, Art. I, Ch. 184, SLA 1959 is  
23 amended by adding a new subsection as follows:

24 (c) To take custody and control of and preserve  
25 the property and estate of deceased persons until a legal  
26 custodian has been appointed.

27 Sec. 6. Subsec. (5), Sec. 19, Art. I, Ch. 184, SLA 1959 is  
28 repealed.

29 Sec. 7. This Act takes effect on the day after its passage

1 and approval or on the day it becomes law without such approval.  
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