

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

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courts; amending subsec. (1)(e), Sec. 8,

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subsec. (1), Sec. 16, and subsec. (3), Sec.

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20, Art. I, Ch. 184, SLA 1959; adding a new

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subsection to subsec. (2), Sec. 8, Art. I,

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Ch. 184, SLA 1959; and repealing subsec. (5),

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Sec. 19, Art. I, Ch. 184, SLA 1959; and

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providing for an effective date."

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

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Section 1. Subsec. (e) of subsec. (1), Sec. 8, Art. I, Ch.

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184, SLA 1959 is amended to read as follows:

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(e) To act as examining magistrates in preliminary

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examinations in criminal proceedings; to set, receive and

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forfeit bail and to order the release of defendants under

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bail.

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Sec. 2. Subsec. (1), Sec. 16, Art. I, Ch. 184, SLA 1959 is

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amended to read as follows:

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(1) DISTRICT MAGISTRATE. A district magistrate,

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while holding office, may not practice law, except before a

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federal district court or federal agency and when such prac-

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tice does not interfere with the performance of his official

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duties as magistrate, and except as herein otherwise pro-

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vided, engage in the conduct of any other profession, voca-

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tion or business for profit or compensation, hold office in

1 a political party, or hold any other office or position of
2 profit under the United States, the state or its political
3 subdivisions, except that the district magistrate may be
4 appointed deputy clerk of the superior court and may hold
5 the office of United States commissioner. Any district
6 magistrate filing for an elective public office forfeits
7 his judicial position.

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

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

15 Sec. 4. Subsec. (2), Sec. 8, Art. I, Ch. 184, SLA 1959 is
16 amended by adding a new subsection as follows:

17 (c) To take custody and control of and preserve
18 the property and estate of deceased persons until a legal
19 custodian has been appointed.

20 Sec. 5. Subsec. (5), Sec. 19, Art. I, Ch. 184, SLA 1959 is
21 repealed.

22 Sec. 6. This Act takes effect on the day after its passage
23 and approval or on the day it becomes law without such approval.
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