

BY MESSRS. FISHER
AND KALAMARIDES

1 IN THE HOUSE

2 HOUSE BILL NO. 329

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 damages in actions for
7 wrongful death; and amending the first para-
8 graph of Sec. 61-7-3, ACLA 1949, as amended
9 by Ch. 89, SLA 1949, Ch. 153, SLA 1955, and
10 Ch. 6, SLA 1957."

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

12 Section 1. The first paragraph of Sec. 61-7-3, ACLA 1949, as
13 amended by Ch. 89, SLA 1949, Ch. 153, SLA 1955, and Ch. 6, SLA
14 1957, is amended to read as follows:

15 Sec. 61-7-3. ACTION FOR WRONGFUL DEATH: DISPOSITION OF
16 AMOUNT RECOVERED. When the death of a person is caused by
17 the wrongful act or omission of another, the personal rep-
18 resentatives of the former may maintain an action therefore
19 against the latter, if the former might have maintained an
20 action, had he lived, against the latter for an injury done
21 by the same act or omission. Such action shall be commenced
22 within two years after the death, and the damages therein
23 shall be determined on the basis of the proof adduced at the
24 trial [NOT EXCEED FIFTY THOUSAND DOLLARS], and the amount
25 recovered, if any, shall be exclusively for the benefit of
26 the decedent's husband or wife and children when he or she
27 leaves a husband, wife or children, him or her surviving;
28 and when he or she leaves no husband, wife or children,
29 him or her surviving, the amount recovered shall be ad-

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ministered as other personal property of the deceased person. When, the Plaintiff prevails, the trial court shall determine the allowable costs and expenses of the action and may, in its discretion, require notice and hearing thereon. The amount recovered shall be distributed only after payment of all costs and expenses of suit and debts and expenses of administration.