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IN THE HOUSE

BY MESSRS. FISHER
AND KALAMARIDES

HOUSE BILL NO. 329

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to damages in actions for wrongful death; and amending the first paragraph of Sec. 61-7-3, ACLA 1949, as amended by Ch. 89, SLA 1949, Ch. 153, SLA 1955, and Ch. 6, SLA 1957."

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

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

Sec. 61-7-3. ACTION FOR WRONGFUL DEATH: DISPOSITION OF AMOUNT RECOVERED. When the death of a person is caused by the wrongful act or omission of another, the personal representatives of the former may maintain an action therefore against the latter, if the former might have maintained an action, had he lived, against the latter for an injury done by the same act or omission. Such action shall be commenced within two years after the death, and the damages therein shall [NOT EXCEED FIFTY THOUSAND DOLLARS], be such damages as the court or jury may deem fair and just and the amount recovered, if any, shall be exclusively for the benefit of the decedent's husband or wife and children when he or she leaves a husband, wife or children, him or her surviving or dependents; and when he or she leave no husband, wife or children, him or her surviving, or other dependents, the amount recovered shall



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be administered as other personal property of the deceased person but shall be limited to pecuniary loss. 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.