

1 IN THE HOUSE

BY MR. SANDERS

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HOUSE BILL NO. 72

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SECOND LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to non-resident operators or  
7 owners of watercraft; and providing for an  
8 effective date."

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

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Section 1. DESIGNATION OF SECRETARY OF STATE AS AGENT. The

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operation or maintenance by a non-resident or non-residents of a

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boat, ship, barge or other water craft in the state, or the opera-

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tion or maintenance of a boat, ship barge or other watercraft owned

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by a non-resident, if operated or maintained with his consent,

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express or implied, shall be deemed equivalent to an appointment by

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the non-resident of the secretary of state, or some other person in

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his office as during his absence he may designate, to be the true

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and lawful attorney of the non-resident for service of process upon

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whom may be served all lawful process in any suit, action, or pro-

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ceeding against the non-resident or non-residents growing out of

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any accident or collision in which the non-resident or non-residents

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may be involved while operating or maintaining a boat, ship, barge

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or other watercraft in this state, or in which the boat, ship,

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barge or other watercraft may be involved while being so operated

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or maintained. Such operation or maintenance of such watercraft

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shall be a signification of each non-resident's agreement that any

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such process against him which is so served shall be of the same

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legal force and effect as if served on him personally within this

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state.

HB #72

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Sec. 2. METHOD OF SERVICE. Service of process in any case provided herein is made by serving a copy of the summons, together with the complaint or libel, on the secretary of state, or his successor in office, and such service shall be sufficient service upon any non-resident; provided, that notice of such service and a copy of the summons, together with the complaint or libel, shall be forthwith sent by registered mail by the plaintiff to the defendant or actually delivered to the defendant, and the defendant's return receipt, in case notice is sent by registered mail, or affidavit of the party delivering the complaint or libel and summons, in case notice is given by actual delivery, is filed in the proceedings before judgment can be rendered against any such non-resident. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

Sec. 3. CONSTRUCTION. Nothing herein shall be construed as affecting other methods of process against non-residents as now provided by existing laws.

Sec. 4. EFFECTIVE DATE. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.