Introduced: 2/4/85
Referred: Labor & Commerce and Judiciary

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 127

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act changing the court jurisdiction of claims
7 against contractors."

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

9 * Section 1. AS 08.18.081(a) is amended to read:

10 (a) A person having a claim against a contractor for any of the
11 items referred to in AS 08.18.071 may bring suit upon the bond in the
12 <u>district court</u> [SUPERIOR COURT] of the judicial district in which the
13 work is done or of any judicial district in which jurisdiction of the
14 contractor may be obtained. A copy of the complaint shall be served
15 by registered or certified mail upon the commissioner at the time suit
16 is filed and the commissioner shall maintain a record, available for
17 public inspection, of all suits commenced. Two additional copies shall
18 be served upon the director of the division of insurance with the
19 payment of $5 to the director taxable as costs in the action. This
20 service upon the director shall constitute service on the surety and
21 the director shall transmit the complaint or a copy of it to the
22 surety within 72 hours after it has been received. The surety upon
23 the bond is not liable in an aggregate amount in excess of that named
24 in the bond, but in case claims pending at any one time exceed the
25 amount of the bond, the claims shall be satisfied from the bond in the
26 following order:

27 (1) labor, including employee benefits;

28 (2) taxes and contributions due the state, city and bor-
29 ough, in that order;

(3) material and equipment;

(4) claims for breach of contract;

(5) repair of public facilities.