

and in accordance with the school district budget approved by the Commissioner and Board of Education; provided, however, that no refunds shall be made except in accordance with law.

(2) The exact amounts necessary for these deficiency payments shall be appropriated when determined by the school district's final annual audit.

(3) The Commissioner of Education is hereby authorized to make the

above payments to school districts which are in need, from current funds appropriated for the 1959-1960 fiscal year; such amounts to be replaced by an appropriation when the amounts due are determined as a result of the final annual audits.

Sec. 2. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved May 1, 1959

CHAPTER 157

AN ACT

Prescribing the powers, organization, operation and procedures of the legislative branch; and providing for an effective date.

(S.B. 70)

Be it enacted by the Legislature of the State of Alaska:

Part I Powers, Organization and Operation

Section 1. **Legislative Powers.** The legislative power of the state is vested in the Legislature of the State of Alaska and extends to all rightful subjects of legislation not inconsistent with or otherwise reserved by the Constitution of the State of Alaska and the Constitution and laws of the United States.

Sec. 2. **Composition.** The legislature shall be composed of two houses: a senate consisting of twenty members and a house of representatives consisting of forty members.

Sec. 3. **Qualifications of Members.** A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age at the time he is to take his oath of office.

Sec. 4. **Dual Office.** No member of the legislature may hold any other office or position of profit under the United States or the state. During the

term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state, or member of Congress. This section shall not apply to employment by or election to a constitutional convention. This section shall be construed in conformity with the provisions of Article 15, Section 15, Alaska State Constitution, as they apply to the members of the First State Legislature. Members are authorized to serve on or at the behest of interim committees of the legislature.

Sec. 5. **Disqualifications.** No person shall be qualified for membership in the legislature who is disqualified to hold public office under the provisions of Article XII, Section 4, of the state constitution, and as it may be implemented by law. All members of the legislature, before entering upon the duties of their office, shall take or subscribe to any oath or affirmation, the oath of office prescribed in Article XII, Section 5, of the state constitution, and such further oaths or affirmations as may be further prescribed by law for members of the

legislature or other officers of the state.

Sec. 6. Election. All members of the legislature shall be elected from the districts and in conformity with the procedures established by the state constitution and the laws of the state made in pursuance thereof. Each house shall be the judge of the election and qualifications of its members and may expel a member with the concurrence of two-thirds of its members.

Sec. 7. Terms. The terms of members of the legislature shall begin on the fourth Monday in January following election. The term of representatives shall be two years, and the term of senators, four years. One-half of the senators shall be elected every two years.

Sec. 8. Immunities. Legislators may not be held to answer before any other tribunal for any statement made in the exercise of their legislative duties while the legislature is in session. Members attending, going to, or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace. The immunities herein provided shall extend also to legislators attending, going to, or returning from meetings of interim standing or special committees of the legislature of which they are members. For the purposes of going to and returning from sessions and meetings as here specified, the immunities provided shall extend to legislators for a period of five days immediately preceding and following, respectively, their attendance at such sessions and meetings.

Sec. 9. Regular Sessions. The legislature shall convene at the capital each year on the fourth Monday in January at 10:00 a.m. Pacific Standard Time. Each legislature shall have a duration of two years and shall consist of a "First Regular Session" which shall meet in the odd-numbered years and a "Second Regular Session" which shall meet in the even-numbered years and any special session or sessions which the governor or legislature may find necessary to call.

Sec. 10. Special Sessions. The legislature may be called into special session by two methods provided for herein but no special session may exceed thirty cal-

endar days in length.

(1) The Governor may call the Legislature into special session by issuing a proclamation at least fifteen days in advance of the convening date stated in the proclamation. At special sessions called by the Governor, legislation shall be limited to the subjects designated by the Governor in his proclamation or to the subjects presented by him.

(2) The Legislature may call itself into special session if two-thirds of the membership responds in the affirmative to a poll conducted by the presiding officers of the respective houses. The presiding officers may initiate a poll by their joint agreement, and they must do so upon the request of twenty-five per cent of the membership of each house, expressed in writing and signed by such members. When two-thirds of the membership to which the legislature is entitled responds in the affirmative, the president of the senate and the speaker of the house shall jointly announce the result of the poll and a date for the convening of the special session. If one of the presiding officers is deceased, resigned or otherwise incapacitated, the presiding officer of the other house is authorized to conduct the poll of the members of both houses.

Sec. 11. Joint Sessions. The houses of the legislature shall convene in joint session when required or authorized by provisions of the Constitution and the rules of the legislature.

Sec. 12. Rules. At the beginning of the first regular session of each legislature, both houses shall adopt uniform rules of procedure for enacting bills into law and adopting resolutions. The rules in effect at the last regular session of the immediately preceding legislature may be adopted as the temporary rules of the legislature until permanent rules are adopted.

Sec. 13. Journal. Each house shall keep and publish a daily journal of its proceedings which shall reflect the essential elements of the business transacted therein and the messages and communications received from the governor and the other house.

Sec. 14. Quorum. A majority of the

membership of each house constitutes a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner, and under such penalties, as may be provided by law or the rules of the legislature.

Sec. 15. Adjournment. Neither house may recess or adjourn for longer than three days; unless the other concurs. If the two houses cannot agree on the time for adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature by issuing an executive order and transmitting official copies of same to the president or secretary of the senate and the speaker or chief clerk of the house of representatives.

Sec. 16. Officers. (1) The senate shall elect from its membership a presiding officer who shall be called the "President of the Senate" and the house of representatives shall elect from its membership a presiding officer who shall be called the "Speaker of the House of Representatives." The presiding officers of each house shall have such powers, duties and prerogatives as shall be assigned them under the rules of the legislature and by law.

(2) Each house shall elect for the duration of a legislature a chief administrative officer who shall not be a member of the legislature but who shall be qualified for the position and hired therefor on the basis of known administrative and stenographic ability. The chief administrative officer of the senate shall be called the "Secretary", and the chief administrator of the house shall be called the "Chief Clerk". The secretary and chief clerk shall perform such duties as are assigned to them by the legislature. They shall be on duty at the capital at least three working days prior to the opening of every session and are authorized to hire one clerical assistant who shall be employed subject to final approval by the house to which they are attached.

(3) The legislature shall appoint a "Legislative Fiscal Officer" who shall be qualified by bookkeeping and administrative experience to take care of the fiscal and supply needs of the legislature and its agencies during and be-

tween sessions. The fiscal officer shall serve at the joint direction of the chairmen of the engrossment and enrollment committees of the house and senate and continue in office until his successor is appointed. When the legislature is not in session, the fiscal officer may serve on a part-time basis and be under the direction and supervision of the legislative council.

(4) Provision for the election or appointment of other officers for either or both houses may be made in the rules.

Sec. 17. Legislative Employees. The rules of the legislature shall provide for the hiring and assignment of employees for both houses. Employees of the senate shall be under the direct supervision of the secretary of the senate and the employees of the house shall be under the immediate supervision of the chief clerk of the house. Persons employed in the central duplicating, mail-distribution or clerical services pool of the legislature shall be under the general supervision of the engrossment and enrollment committees of the two houses acting jointly through the legislative fiscal officer.

All non-member officers and employees of the legislature shall serve at the convenience of the legislature subject to the rules governing their employment. All employees, excepting the chief administrative officer of each house and the legislative fiscal officer, shall serve only for the duration of a legislative session or such portion thereof as shall be determined by the legislature. Compensation and conditions of employment for legislative employees shall be as established by law, by resolution or by rule.

Sec. 18. Organization: First Session. On the day set for the assembling of the first regular session of a legislature, the Secretary of State, or if he is unable to serve, the Chief Justice of the Supreme Court shall call each house to order and direct the calling of roll of the house or senate districts, as appropriate, and the names of the new members who have been certified as being elected therefrom. The Secretary of State or the Chief Justice as the case may be shall then direct the administration of the

oath of office of the new members. He shall then call for the nomination of a temporary president or speaker, as appropriate. Upon the election of the temporary presiding officers, the Secretary of State shall relinquish the chair, and each house shall proceed to its further organization.

Sec. 19. Same: Second Session. On the day set for the assembling of the second regular session or any special session of the legislature, the presiding officer elected at the next prior first regular session shall administer the oath to any new members and proceed with the business of the house in accordance with the rules of the legislature. If the presiding officer be absent, the secretary of the senate in the absence of the president of the senate, and the chief clerk of the house in the absence of the speaker of the house, shall call the house to order and preside until a new or temporary presiding officer shall have been chosen. In the absence of the secretary of the senate or chief clerk of the house, the senior member present shall assume the chair until the house elects or otherwise selects a temporary or permanent presiding officer.

Sec. 20. Committees. Each house shall have standing committees to facilitate the transaction of business in accordance with the provisions of the rules of the legislature. Provisions may also be made in the rules for the appointment of special committees, as needed, by the presiding officer of each house. The legislature shall provide for the utilization of joint committees to facilitate and expedite business.

Sec. 21. Legislative Space. The space occupied jointly or by each house for the transaction of legislative business shall be subject to the joint use and control of the presiding officers of each house as governed by the rules or prescribed by law. Control of and use of legislative space, exclusive of such committee rooms as are temporarily occupied during sessions, shall be the responsibility of the presiding officers acting jointly through the legislative council between sessions.

The chambers and offices of the legislature and the furnishings therein shall

remain intact between legislative sessions subject to such restricted occupancy and use as the legislative council may authorize its executive director to arrange for in coordination with a designee of the governor.

The presiding officer of each house shall make provision for the location of a special area in the public gallery for the exclusive use of representatives of recognized news media who have presented their credentials to the presiding officer of each house. This provision shall be enforced by the sergeant-at-arms at the direction of the presiding officer.

Sec. 22. Access to Legislative Space. Access to legislative chambers, offices, halls and committee rooms shall be governed by the rules of the legislature; provided, that during any regular or special session of the legislature, no person not a member or an authorized employee of the legislature may enter upon the floor of either house while that house is sitting or in recess or merely adjourned for the day, without the express invitation of or permission of the chair to so enter for a special purpose or for the day.

Sec. 23. Legislative Supplies. All legislative supplies and materials shall be ordered, purchased, distributed, stored and inventoried by the legislative fiscal officer at the direction of and subject to the approval of the engrossment and enrollment committees of each house. When the legislature is not in session, the legislative council, serving as a joint interim committee of the Legislature, shall direct the fiscal officer in matters pertaining to the procurement and control of legislative supplies and materials.

Sec. 24. Legislative Equipment. All legislative equipment, including the furniture used in the legislative chambers, offices, and committee rooms, shall be subject to the same provisions regarding procurement, use and control as legislative supplies unless otherwise provided for in this Act.

Sec. 25. Duplicating Legislative Documents and Aids. The duplicating and assembly of all bills, memorials, resolutions and other materials intended primarily for the use of the legislature and its agencies shall be accomplished as a

centralized operation for the expeditious handling of legislative business. When the legislature is in session the duplicating service shall operate at the joint direction of the engrossment and enrollment committees of each house. Duplicating service accomplished between sessions or in the preparation for or closing out of sessions shall be at the direction of the legislative council. The legislative duplicating equipment shall be used primarily to provide for the duplicating needs of the legislature and its agencies but may, upon request of the governor and subject to the legislative priority, be used to implement the mimeograph and other duplicating equipment now being used by agencies of the state government.

Sec. 26. Distribution of Documents. Documents and other materials produced during legislative sessions shall be distributed to the public and the agencies of government through a centralized distribution service which shall be operated in accordance with the rules of the legislature. Agencies of the state and federal government shall be entitled to receive without charge such documents as pertain to their functions in the amount required. The legislature may by joint resolution from time to time fix a reasonable charge, not to exceed the approximate cost thereof, for copies of legislative documents distributed to the public at large. The fiscal officer is responsible for certifying and directing authorized distribution and mailing for the legislature.

Sec. 27. Printing and Distribution of Session Laws and Resolutions. The following provisions shall govern the printing and distribution of session laws and resolutions in advance sheet and bound form:

(1) No later than forty-five days prior to the scheduled convening of any regular session of the legislature, the director of finance shall call for bids on the printing and binding of the session laws of the forthcoming session according to specifications prepared by the attorney general and approved by the legislative council. The bid shall include the cost of printing advance sheets.

(2) Enrolled Bills. Whenever any

bill or resolution shall have been duly passed and approved or become effective without such approval, three true copies of same shall be filed on receipt with the director of finance. Upon receipt of said bill or resolution, he shall number it in the order in which it became law, commencing with each session of the legislature. Such number shall be in Arabic numerals and shall be the chapter number of the act when published.

(3) Advance Sheets. When the director of finance assigns a chapter number to any law, he shall then direct the printer to print the necessary number of copies of the act or resolution, said copies to be filed at his office within 48 hours after delivery to the printer. The style and size of type, line and number of lines to the page shall be the same as shall be used in the permanent volume of the session laws of such session.

(4) Distribution of Advance Sheets. The director of finance shall make the official distribution of the advance sheets on the basis of one to each legislator, members of the Alaska congressional delegation, and state department, agency or court; four each to the governor, attorney general, chief clerk of the house, secretary of senate, and legislative council; and such other distribution to state agencies as the director finds necessary to their operation. The director is authorized to assess a flat fee of \$15.00 for each complete set of advance sheets requested by other than state agencies in order to help defray the cost of printing and handling.

(5) Bound Session Laws. When all acts of any session have been published in advance sheet or temporary form, the director of finance shall, with the concurrence of the attorney general and the executive director of the legislative council, employ a competent person to index such acts or laws. Within ninety days after the close of the legislative session he shall have them published and properly bound according to the bid and specifications for printing of same, including such headings, indices, title page, rosters, memorials and resolutions, and other materials deemed proper.

(6) Distribution of Bound Session

Laws. The director of finance shall make the following distribution of the bound volumes of session laws: one each to every legislator, member of the Alaska congressional delegation, state department or agency and each state and federal court library in Alaska; five to the office of the governor, secretary of state and the attorney general; fifty-two to the legislative council for exchange with other states and jurisdictions; and such other official distribution as in the opinion of the director is required, or as may otherwise be prescribed by law. The director is authorized to charge a uniform price based upon production costs to any individual or organization wishing to purchase a volume.

(7) **Unauthorized Printing and Publication for Sale.** It shall be unlawful for any person to print and publish for sale the statutes of any session in book form within two years after the adjournment of such session, other than those ordered printed by the director of finance of Alaska; provided, the printing and publication restrictions provided by this section shall not apply to any authorized general compilation or to any revision of special law or laws of the state on a special subject.

Sec. 28. Appropriations for Expenses. Monies for the operation of the legislative process shall be appropriated by the passage and approval of the necessary bill or bills for that purpose during any regular or special session. The legislature is authorized to establish an interim contingent expense fund to cover the necessary expenses of the legislature in closing out or preparing for any session and such other special interim expenditures as may be authorized by the president of the senate or the speaker of the house of representatives through the Legislative Audit Committee or the Legislative Council; provided, that such special interim contingent expense fund shall not exceed ten thousand dollars (\$10,000.00).

All expenditures from appropriations or special funds for legislative operating expenses shall be certified to by the legislative fiscal officer.

Part II Procedures

Sec. 29. Procedure: General. The pro-

cedure for handling bills from the time of their pre-filing or introduction until they become law shall be as established in the following sections subject to such implementing rules as may be adopted by the legislature not inconsistent with the constitution or the laws made in pursuance thereof. Resolutions and memorials shall be handled in accordance with the provisions of the uniform rules of the legislature.

Sec. 30. Subject of Bills. The subject of each bill shall be expressed in its title and every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising or rearranging existing laws. The limitation as to one subject shall be liberally construed so as to permit the subject to include all matters which reasonably can be considered germane thereto in accomplishing the legal objective of the bill.

Sec. 31. Appropriation Bills: Subject. Bills for appropriations shall be confined to appropriations and shall include the amount or amounts involved, the purpose, method, manner and other related conditions of payment.

Sec. 32. Enacting Clause. The enacting clause for each bill shall be: "Be it enacted by the Legislature of the State of Alaska."

Sec. 33. Pre-filing of Bills. Any member of the legislature whose term extends into a forthcoming session or legislature, or any member-elect, is authorized to file a bill or a proposal for a bill with the legislative council at any time within sixty days prior to the convening of any regular session. The legislative council is authorized to place a pre-filed bill in proper form, assign it a number for introduction in the appropriate house, and deliver same to the chief clerk of that house on the day which the next session convenes. Pre-filed bills shall be considered as introduced on the day of their delivery to each house.

Sec. 34. Introduction of Bills. Any member of the legislature or any committee chairman or his representative on behalf of a committee of the legislature, may introduce a bill. A bill shall be prepared for introduction in the manner and

form specified in the uniform rules and the style manual of the legislature.

Sec. 35. Numbering of Bills. All bills, excepting those pre-filed and numbered as provided herein above, shall be numbered by the chief clerk of the house in which introduced in the order of their introduction and thereafter shall be designated by the number given them.

Sec. 36. Readings. No bill may be come law unless it has passed three readings in each house on three separate days, except that any bill may be advanced from second to third reading on the same day by concurrence of three-fourths of the house considering it.

Sec. 37. Vote on Passage. No bill may become law without the affirmative vote of a majority of the membership of each house. The yeas and nays on final passage shall be recorded in the journal.

Sec. 38. Action Upon Veto. When the governor shall veto a bill, or, by veto, strike or reduce an item or items in an appropriation bill the legislature shall proceed to act in accordance with Article II, Section 16, of the state constitution

and as it may be implemented by the rules of the legislature.

Sec. 39. Effective Date of Laws. All laws passed by the legislature become effective ninety days after enactment. The legislature may, by concurrence of two-thirds of the membership of each house, provide for another effective date.

Sec. 40. Bills Carry Over. Any bill introduced but not receiving final action in the first regular session of a legislature shall carry over in the same reading or status into the second regular session of the same legislature.

Sec. 41. Constitutional Amendments. The legislature may propose amendments to the state constitution through the adoption of a joint resolution by an affirmative vote of two-thirds of the membership of each house. Resolutions proposing constitutional amendments shall be treated as bills.

Sec. 42. Effective Date. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved May 1, 1959

CHAPTER 158

AN ACT

Providing for the development of state parks and recreational facilities; specifying certain functions relating thereto; and providing for the establishment of a division in the Department of Natural Resources to administer such functions.

(F.C.C.S.H.B. 146)

Be it enacted by the Legislature of the State of Alaska:

Section 1. The legislature hereby declares its purpose in this Act to foster the growth and development of a system of parks and of recreational facilities and opportunities in the State of Alaska, for the general health, welfare, education, and enjoyment of its citizens and for the attraction of visitors to Alaska from other states and nations.

Sec. 2. The Department of Natural Resources is hereby authorized and directed, in addition to its functions as otherwise provided by law, to perform

the following powers and duties:

(1) To develop a continuing plan for the conservation and maximum use in the public interest of the scenic, historic, archaeological, scientific, biological, and recreational resources of the state;

(2) To plan for and develop a system of state parks and recreational facilities, to be established as the legislature may authorize and direct;

(3) To acquire by gift, purchase, or transfer from state or federal agencies, or from individuals, corporations, partnerships or associations, such land as