

## CHAPTER 17

## AN ACT

Relating to the Alaska Legislative Council; repealing Ch. 177, SLA 1957, and Ch. 69, SLA 1953, as amended by Ch. 74, SLA 1955 and Ch. 140, SLA 1957; authorizing appropriations; and providing for an effective date.

(S.B. 136)

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

**Section 1. Legislative Council Established.** The Alaska Legislative Council is established as a permanent interim committee and service agency of the legislature. The establishment of the council recognizes the need of the legislature for fulltime technical assistance in accomplishing the research, reporting, bill drafting, examination and revision of statutes, and general administrative services essential to the development of sound legislation in the public interest.

**Sec. 2. Membership.** The legislative council is composed of the president of the senate and four other senators appointed by him, and the speaker of the house of representatives and four other representatives appointed by him. The appointing authority in each house shall appoint at least one member from among the districts comprising each of the senate districts, A, E, J and N as described in Section 2, Article XIV of the state constitution, and at least one member from each of the two major political parties. The appointing authority of each house shall make and announce the appointment or reappointment of members of the council within thirty days after the convening of the first regular session of each legislature.

**Sec. 3. Membership.** Members serve for the duration of the legislature during which they are appointed and, if they are re-elected to or their term of office extends into the next succeeding legislature, continue to serve until reappointed or their successors are appointed.

**Sec. 4. Vacancies.** When a vacancy occurs in the appointive membership of the council the presiding officer of the house incurring the vacancy shall fill the vacancy within 30 days. If the office of the president of the senate or speaker of the house of representatives becomes va-

cant and a vacancy occurs among the appointed members of the council, the remaining council members from the house incurring the vacancy shall appoint a new member. Legislators appointed to fill vacancies shall represent the same senate-at-large district and be a member of the same political party as the member vacating the seat, when possible.

**Sec. 5. Executive Director and Staff.** The council hires an executive director and determines his salary. The executive director shall serve as the executive officer of the council in the accomplishment of its functions. He serves at the direction and at the pleasure of the council. He is authorized to employ and determine the compensation of the members of the professional and clerical staffs of the agency within the limitation of the budget approved by the council. The executive director and the members of the professional staff shall maintain the integrity of the council's functions and services on the behalf of the legislative branch by refraining from joining or supporting any partisan political organization, faction or activity which would tend to undermine the essential non-partisan nature of their functions and services. However, this section does not restrict the executive director or members of the professional staff from expressing private opinion, registering or voting.

**Sec. 6. Powers.** The legislative council shall have the following powers:

(1) To organize and adopt rules for the conduct of its business;

(2) To hold public hearings, administer oaths, issue subpoenas, compel the attendance of witnesses and production of any papers, books, accounts, documents, and testimony, and to cause the deposition of witnesses to be taken in a manner prescribed by court rule or law for taking depositions in civil actions when consistent with the powers and duties assigned to the council by this act.

(3) To call upon all state officials, agencies and institutions to give full cooperation to the council and its executive director by collecting and furnishing information, conducting studies and making recommendations;

(4) To maintain and operate the state legislative reference library for the use of the legislature and other state agencies;

(5) To exercise control and direction over all legislative space, supplies, and equipment and permanent legislative help between legislative sessions;

(6) To produce, publish, distribute and to contract for the printing of such reports, memoranda and other materials it finds necessary to the accomplishment of its work; and

(7) To take appropriate action for the pre-convening and post-session work of each legislative session including the employment one week in advance of each session of not more than 10 temporary legislative employees whose continuing employment shall be subject to legislative approval when the session convenes.

**Sec. 7. Revision of Statutes.** The council has the authority to clarify, classify, arrange, renumber, coordinate, edit, correct, annotate, index, copyright, codify and revise all laws of the state. It may specify the format, size and style of type, paper stock, number of volumes, and method and quality of binding of any codification or revision; and may contract, within the limit of appropriations, for services necessary to the accomplishment of this work. Contracts for publication and distribution of any code or revision are to be accomplished by the Department of Administration in coordination with the council. The council is authorized to receive sufficient copies of any code or revision for its own work and for exchange for those of other states and jurisdictions. Any code or revision prepared by the council under authority of this act is to be referred to the legislature for enactment or adoption.

**Sec. 8. Interstate Cooperation.** The council may encourage and arrange conferences with officials of other states and of other units of government; carry forward the participation of this state as a member of the Council of State Govern-

ments, and propose cooperation between this state and other states. It shall function as the Alaska Commission on Interstate Cooperation in carrying out the program of the Council of State Governments as it relates to Alaska.

**Sec. 9. Assignment of Projects.** The council may be assigned projects or subjects for study, reporting, or drafting only by resolution. The council is authorized to determine a schedule of priorities for these and other assignments or requests based on feasibility, time and the availability of funds and staff.

**Sec. 10. Requests for Service.** Members of the legislature may utilize the research and bill drafting services of the council staff and all requests are confidential. Staff services for members of the legislature are to be accomplished subject only to the priority of assignments determined by the council.

**Sec. 11. Meetings.** The legislative council may meet during sessions of the legislature and during intervals between sessions at such times and places within the state as the chairman may determine. The council shall meet immediately after the appointment of its membership at the first regular session of each legislature for purposes of organization. Minutes of each meeting shall be kept. One half of the membership constitutes a quorum to do business. Members may receive, for the minimum time required to get to and from meetings and while attending meetings, the same travel fare and per diem allowances provided by law for members of the legislature when attending sessions.

**Sec. 12. Reports.** The council shall submit a summary report of its findings and recommendations to each legislature. The council shall, from time to time, submit memorandum reports to the legislature on matters referred to it or otherwise coming before it. Bills supporting council recommendations may be filed or pre-filed in accordance with the uniform rules of the legislature. Reports released by the council are considered public and they may be made available at a reasonable cost.

**Sec. 13. Budgets.** The council shall submit a budget of its anticipated needs for each fiscal year to the finance committees of the legislature. The executive director shall annually submit an esti-

mated budget to the governor for information purposes in the preparation of the executive budget. The council staff shall also assist, as needed, in preparing a budget of the anticipated annual needs of the legislature.

**Sec. 14. Appropriations.** Appropriations for carrying out the provisions of this Act shall be set forth in the general appropriation bill or such other bills as may be necessary. The council is authorized to direct the executive director to transfer amounts from one appropriation to another if such transfer is deemed

necessary to accomplish the work of the council; provided, that in no event shall the total amount of the authorized appropriation be exceeded. All expenditures of the council are subject to audit.

**Sec. 15. Repeal.** Ch. 177, SLA 1957, and Ch. 69, SLA 1953, as amended by Ch. 74, SLA 1955 and Ch. 140, SLA 1957 are repealed.

**Sec. 16. Effective Date.** This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved March 2, 1960

## CHAPTER 18

### AN ACT

**Relating to legitimation and substitute birth certificates; repealing and re-enacting Sec. 21-3-3, ACLA 1949, as amended by Ch. 57, SLA 1951, as amended by Ch. 115, SLA 1957.**

(SB. 154)

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

Section 1. Sec. 21-3-3, ACLA 1949, as amended by Ch. 57, SLA 1951, as amended by Ch. 115, SLA 1957, is repealed and re-enacted to read as follows:

**Section 21-3-3. Legitimation by Subsequent Marriage, by Acknowledgment in Writing, by Adjudication: Substitute Birth Certificate.** Every child born out of wedlock heretofore or hereafter, shall be legitimated and considered the heir of the father who (1) shall subsequently intermarry with the mother of the child; or (2) shall in writing acknowledge his paternity of the child; or (3) shall be adjudged to be the father by a superior court, upon sufficient evidence and in accordance with the laws and rules of procedure which may be applicable. Acceptable evidence includes, but is not limited to, evidence that the alleged father so conducts and bears himself toward the child, either by word or act so as to indicate that the child is his, and such conduct may be construed by the court to constitute evidence of paternity. Extrinsic evi-

dence may be employed by the court to show intent when indefinite, ambiguous, or uncertain terms are used.

The Bureau of Vital Statistics, as custodian of the original certificates of birth of all persons born in Alaska, is hereby designated as the depository for such acknowledgments and adjudications, which shall be forwarded to the bureau in accordance with appropriate regulations of the bureau, and shall be noted on and filed with the corresponding original certificate of birth.

In case of the Alaska birth of any child out of wedlock, heretofore or hereafter, and the legitimation thereof has been established pursuant to this Act, then at the written request of the parents, or either of them or of the legal guardian, or of the person himself when of legal age, the Bureau of Vital Statistics shall prepare and place on file a substitute birth certificate, in accordance with the laws and regulations of the bureau pertaining to such new certificates.

Approved March 2, 1960