

**in military service shall be deemed residents in good faith; and providing for an effective date.**

(H.B. 96)

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

Section 1. Sec. 56-5-10 ACLA 1949 as amended by Chap. 22 SLA 1959 is hereby amended to read as follows:

Sec. 56-5-10. **Jurisdiction.** In an action to dissolve a marriage contract, or to declare void a marriage which was not solemnized in Alaska, the plaintiff therein must be an inhabitant of the State at the commencement of the action and for one year prior thereto, which residence shall be sufficient to give the court jurisdiction without regard to the place where the marriage was solemnized or the cause of action arose. In an action to dissolve a marriage contract, or to declare void a marriage which was not solemnized in Alaska, wherein the wife is plaintiff, the residence of the husband in this state shall inure to her benefit and she may institute such

action setting up any of the causes for dissolution of the marriage contract or the declaration of its invalidity permitted by the laws of this state immediately after the accrual thereof, providing her husband shall have been qualified as to residence to institute a similar action; persons serving in any military branch of the United States government who have been continuously stationed in any military base or installation in the state of Alaska for such period of one (1) year, shall for the purposes hereof, be deemed residents in good faith of the state of Alaska. Wives are permitted to acquire a separate residence or domicile from that of the husband, without reference among other factors to misconduct or consent of the husband.

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

Approved March 21, 1959

## CHAPTER 52

### AN ACT

**To extend the prevailing wage scale to laborers and mechanics employed by contractors and subcontractors in the construction, alteration or repair of public buildings, or public works of the State of Alaska or any of its political subdivisions; terminating such contracts for violation and completing the work by the government; authorizing a means of requiring the payment of such wages; authorizing regulations; and providing for an effective date.**

(H.B. 59)

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

Section 1. **Rates of Wages for Laborers and Mechanics on Public Contracts.** The advertised specifications for every contract in excess of two thousand (\$2,000.00) dollars to which the State of Alaska or a political subdivision thereof is a party, for the construction, alteration, and/or repair, including painting and decorating of public buildings or public works of the State or a political subdivision thereof, which requires or

involves the employment of mechanics, laborers, or field surveyors shall contain a provision stating the minimum wages to be paid various classes of laborers, mechanics, or field surveyors, which wages shall be determined by the office of the Commissioner of Labor and shall be based upon wages prevailing for the corresponding classes of laborers, mechanics, or field surveyors employed on projects of a character similar to the contract work in the borough, city, village, or other subdivision of the State in which the work is to be performed.

Every contract for public works in the State or any of its political subdivisions shall contain stipulations that:

(1) The contractor or his subcontractors shall pay all employees unconditionally and not less than once a week;

(2) Wages shall be not less than those stated in the advertised specifications, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractors and such laborers, mechanics, or field surveyors;

(3) The scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work;

(4) The State, or any political subdivision thereof, may withhold so much of the accrued payments as may be necessary to pay to laborers, mechanics, or field surveyors employed by the contractor or any subcontractors, the difference between (a) the rates of wages required by the contract to be paid laborers, mechanics, or field surveyors on the work, and (b) the rates of wages in fact received by such laborers, mechanics or field surveyors.

**Sec. 2. Termination of Work on Failure to Pay Agreed Wages: Completion of Work by Government.** Every contract within the scope of Section 1 of this Act shall contain the further provision that in the event it is found that any laborer, mechanic, or field surveyor employed by the contractor or any subcontractors has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the State or its political subdivisions concerned, whether state or local may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and his sureties shall be liable to the state or its political subdivision for any excess costs occasioned thereby.

**Sec. 3. Payment of Wages from Withheld Payments: Listing Contractors Violating Contracts.** The state disbursing

officer in the case of a state contract, and the local fiscal officer in the case of a local political subdivision contract, is authorized and directed to pay directly to laborers, mechanics or field surveyors from any accrued payments withheld under the terms of the contract any wages found to be due laborers, mechanics or field surveyors pursuant to Section 1. The state disbursing officer or the local fiscal officer is further authorized and is directed to distribute to all departments of the state government and to all local governmental bodies, a list giving the names of persons or firms found to have disregarded their obligations to employees and subcontractors. No contract shall be awarded to the persons or firms appearing on this list or to any firm, corporation, partnership, or association in which such person or firms have an interest until three years have elapsed from the date of publication of the list containing the names of such persons or firms.

If the accrued payments withheld under the terms of the contract, as aforesaid, are insufficient to reimburse all the laborers, mechanics, or field surveyors with respect to whom there has been a failure to pay the wages required pursuant to Section 1, such laborers, mechanics or field surveyors shall have the right of action and/or of intervention against the contractor and his sureties conferred by law upon persons furnishing labor or materials, and in such proceedings it shall be no defense that such laborers, mechanics or field surveyors accepted or agreed to accept less than the required rate of wages or voluntarily made refunds.

**Sec. 4. Effect on Other Laws of Alaska.** This Act shall not be construed to supersede or impair any authority otherwise granted by state law to provide for the establishment of specific wage rates.

**Sec. 5. Application of Act to Contracts Entered Into Without Advertising for Proposals.** The fact that any public contract authorized by any Act is entered into upon a cost-plus-a-fixed-fee basis or otherwise, without advertising for proposals, shall not be construed to render inapplicable the provisions of this Act, if it would otherwise be applicable to such contract.

**Sec. 6. Regulations Governing Contractors and Subcontractors.** The Commissioner of Labor shall make reasonable regulations for contractors and subcontractors engaged in the construction, prosecution, completion or repair of public buildings, public works or buildings or works, including a provision that each contractor and subcontractor shall furnish weekly a sworn affidavit with respect to the wages paid each employee

during the preceding week.

**Sec. 7. Effective Date.** This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval, but shall not affect any contract then existing or any contract that may thereafter be entered into pursuant to invitations for bids that are outstanding on such effective date.

Approved March 23, 1959

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## CHAPTER 53

### AN ACT

**Authorizing the Attorney General to transfer funds from items heretofore appropriated to his Office; and providing an effective date.**

(H. B. 122)

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

Section 1. The Attorney General is hereby authorized and empowered to transfer such sums as are necessary from the unencumbered balances available in the 1957-1959 appropriation to his Office for "Travel" and "Capital Out-

lay", to the items identified as "Personal Services" or "Other Operating Expenses".

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

Approved March 24, 1959

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## CHAPTER 54

### AN ACT

**Appropriating \$9,575.00 from monies in the General Fund not otherwise appropriated to carry out the provisions of House Bill No. 75 entitled 'An Act authorizing the payment of travel and certain baggage expenses for the members of the Alaska State Legislature'; and providing for an effective date.**

(H. B. 169)

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

Section 1. The sum of \$9,575.00, or so much thereof as shall be found necessary, is hereby appropriated out of monies in the General Fund not otherwise appropriated to carry out the provisions of House Bill No. 75 an Act en-

titled "An Act authorizing the payment of travel and certain baggage expenses for the members of the Alaska State Legislature".

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

Approved March 24, 1959