

CHAPTER 55

AN ACT

Providing for the filling of vacancies in the legislature; repealing Section 38-8-3, ACLA 1949; and providing for an effective date.

(S.B. 56)

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

Section 1. Filling Vacancies in the Legislature. When a vacancy occurs in the legislature, whether the legislature is in session or recess, the vacancy shall within thirty days thereof be filled by appointment by the governor, subject to confirmation by a majority of the members of the legislature who are members of the same party and of the same house of the legislature as the person creating the vacancy. No person shall be eligible to appointment to such vacancy unless he is a member of the same party, a resident of the same election district as the person creating the vacancy, and is otherwise qualified as a candidate to such office. If the person creating the vacancy was not a member of a political party or was not nominated for the legislature by a political party or if no other member of his political party is a member of his house of the legislature, the appointment to fill such vacancy shall not be subject to confirmation.

Sec. 2. Same: Recess Appointments. When an appointment to a vacancy in the legislature is made during a recess thereof, the person so appointed shall serve until his appointment is either confirmed or rejected by the legislature in the manner provided in Section 1 of this Act if such confirmation is required. If such appointment is confirmed the term of such person shall be as prescribed in Sec. 4 of this Act.

Sec. 3. Same: Immediately Before El-

ection. If a vacancy in the legislature occurs within forty days of the date set for a primary or general election, no appointment shall be made to fill such vacancy, unless no candidate to fill such legislative vacancy obtains a place on the official ballot in such primary or general election in the district represented by the person creating the vacancy, in which event the vacancy shall be filled by appointment and confirmation in the manner provided in this Act. In no event shall a person elected to fill a vacancy in the legislature occurring within forty days of a primary or general election serve for more than the unexpired portion of the term, if any, of the person creating the vacancy, unless subsequently elected at a general election for the full term.

Sec. 4. Term of Office of Appointee to Legislature. Any person appointed and confirmed, if confirmation is required, to fill a vacancy in the legislature, shall serve until the next general election following his appointment. The remainder of the unexpired term of the person creating the vacancy, if any, shall be served by a person elected at such general election in the manner provided for election to the legislature.

Sec. 5. Repeal. Sec. 38-8-3, ACLA 1949, is hereby repealed.

Sec. 6. Effective Date. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved March 24, 1959

CHAPTER 56

AN ACT

To provide for the disposition of the records and property of the former Alaska Statehood Committee; and providing for an effective date.

(H.B. 56)

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

Section 1. The records and property of the former Alaska Statehood Committee shall be disposed of in the following manner:

(1) All records, minutes of meetings, and accounts shall be delivered into the possession and control of the secretary of state for inspection and cataloging prior to consignment to the state archives, records management division,

or destruction, as shall be appropriate.

(2) All equipment, supplies, and research and reference materials shall be delivered into the possession and control of the Legislative Council which shall certify receipt of same to the secretary of state.

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

Approved March 25, 1959

CHAPTER 57

AN ACT

Providing for liens on wells and for land clearing; amending Section 26-1-1 ACLA 1949, as last amended by Chapter 14 Session Laws of Alaska 1953; and amending Section 26-1-12 ACLA 1949.

(S.B. 37)

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

Section 1. Section 26-1-1 ACLA 1949, as last amended by Chapter 14 Session Laws of Alaska 1953, is amended to read as follows:

Section 26-1-1. Certain persons entitled to lien for work or labor done or materials furnished. Any person or firm, contractor, lumber merchant, architect, engineer, designer, mechanic, artisan, machinist, tradesman, plumber, electrician, carpenter, painter, laborer, teamster, drayman, and other persons performing design or supervision services or performing any labor upon or preliminary to the construction of, or furnishing any material for the construction of, or furnishing any material for the construction, alteration, or repair, either in whole or in part of any building, wharf, bridge, flume, fence, machinery, aqueduct, well, or land clearing, or any structure or superstructure, including the clearing, grading, draining, excavating or landscaping of the ground upon which such building, wharf, bridge, flume, fence, machinery, aque-

duct, well, or land clearing, or any structure or superstructure may be constructed, and the installation of sewer and water lines therein, shall have a lien upon the same for the work or labor done or material furnished at the instance of the owner of the building or other improvement, or his agent.

Sec. 2. Section 26-1-12 ACLA 1949 is amended to read as follows:

Section 26-1-12. Terms defined. The words "building or other improvement," wherever the same are used in this Chapter (Sections 26-1-1—26-1-14 herein), shall be held to include and apply to any wharf, bridge, ditch, flume, tunnel, fence, well, land clearing, machinery, aqueduct to create hydraulic power, or for mining or other purposes, and all other structures and superstructures; and the words "construction, alteration, or repair", wherever the same are used herein, shall be held to include partial construction, and all repairs done in and upon any building or other improvement.

Approved March 25, 1959