

ning 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 serve as the temporary rules

of the legislature until the adoption of permanent rules.

Sec. 7. AS 24.05.180(b) is repealed.

Sec. 8. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved May 1, 1963

## CHAPTER 101

### AN ACT

#### Relating to hairdressing and beauty culture.

(C.S.H.B. 183)

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

Section 1. AS 08.28.030 is repealed and re-enacted to read:

Sec. 08.28.030. **Qualifications of Board Members.** (a) To qualify for membership on the board, a member must be an adult, a citizen of the United States, and a resident of the state.

(b) The governor shall appoint persons so that four members have at least five years' experience as an operator, manager-operator, or owner-operator, and one member has at least three years' experience as the owner, manager, or instructor of a beauty school licensed under this chapter. To remain on the board, a member must remain active in an activity that would qualify

him for appointment under this subsection.

(c) Each member shall take the oath provided by law for public officers.

Sec. 2. AS 08.28.140 is repealed and re-enacted to read:

Sec. 08.28.140. **Out-of-State Licensees.** (a) A person holding a current valid license from a board of cosmetology in another state is entitled to a license under this chapter without examination if he applies, accompanying his application with

- (1) proof of a foreign license; and
- (2) proof that he has completed at least 2,000 hours' training in a hairdressing and beauty culture school.

Approved May 1, 1963

## CHAPTER 102

### AN ACT

#### Providing retirement and other benefits for justices and judges of the supreme and superior courts of Alaska.

(H.C.S.S.B. 69)

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

Section 1. AS 22 is amended by adding a new chapter to read:

#### Chapter 25.

#### Retirement and Death Benefits.

##### Article 1. Justices and Judges.

Sec. 22.25.010. **Retirement of Justices and Judges.** (a) A supreme court justice or superior court judge shall be re-

tired on the date that he reaches the age of 70. He is eligible for retirement pay if he has had five or more years of service at the time of retirement as a justice or judge.

(b) A justice or judge may be retired for incapacity as provided in AS 22.05.110 and 22.10.160. He is eligible for retirement pay if he has had two or more years of service at the time of retirement. The effective date of retirement under this subsection is the first day of the month coinciding with or after the date upon which the governor with respect to a justice, or the supreme court with respect to a judge files with the director of the Public Employees' Retirement System of Alaska a written declaration to the effect that a designated justice or judge was retired for incapacity. A duplicate copy of the declaration shall be filed with the Judicial Council.

(c) A justice or judge who served for a period of five years, and who believes that he has become so incapacitated as to prevent him from efficiently performing his judicial duties may file with the governor a written application for retirement which contains a sworn statement of his service and of his incapacity. When an application is filed, the governor shall appoint a board of three persons to inquire into the circumstances, and may, upon the board's recommendation, retire the justice or judge. The effective date of the retirement shall be as provided in (b) of this section.

(d) A justice or judge may voluntarily retire, and is eligible for retirement pay when he has (1) reached the age of 65 years and has served for 10 years or more, or (2) his age plus his years of service equal 75. In the latter case, if the justice or judge has not reached the age of 65 years, he may elect either to have his retirement pay begin when he reaches the age of 65 years, or to have his retirement pay begin on an actuarial equivalent basis as of the effective date of his retirement. A justice or judge desiring to retire under this subsection shall file with the governor a notice of his desire, together with a sworn statement of the facts establishing his eligibility to retire. The governor shall certify those facts to the director

of the Public Employees' Retirement System and declare, in writing, the eligibility or ineligibility for retirement of the justice or judge. If a justice or judge is eligible for retirement under this subsection, his retirement pay is effective on the first day of the month coinciding with or after the date the written declaration of the governor is filed with the director. A duplicate copy of the declaration shall be filed by the governor with the Judicial Council.

(e) A justice or judge who was rejected at a general election and who served for nine years before the time his office became vacant by reason of the rejection is considered to have retired for the purposes of secs. 10 - 70 of this chapter and is eligible for retirement pay. If a justice or judge is considered to have retired under this subsection and has not reached the age of 65 years, he may elect either to have his retirement pay begin when he reaches the age of 65, or to have his pay begin on an actuarial equivalent basis as of the effective date of his retirement. The effective date of retirement pay under this subsection is the first day of the month coinciding with or after the date upon which the office becomes vacant.

(f) In the computation of service for retirement under secs. 10 - 70 of this chapter, the time served by a judge of the superior court is added to the time served by him, if any, on the supreme court, and vice versa. All service rendered by a justice or judge before the effective date of secs. 10 - 70 of this chapter shall be included in the computation.

**Sec. 22.25.020. Retirement Pay.** A retired justice or judge eligible for retirement pay shall receive monthly, while retired, from the date of retirement until his death, compensation equal to four per cent per year of service, to a maximum of 50 per cent of the monthly salary he is receiving on the date of retirement, except that payments beginning before age 65 for reasons other than incapacity shall be made on an actuarial equivalent basis. A justice or judge may be permitted to elect any other actuarially equivalent optional form of benefit with the consent of the retirement board. The election shall not be effective until attainment of age 65 or two years from the date of the elec-

tion, whichever is later. The election shall be in accordance with the conditions prescribed by the retirement board, which may include the requirement that the justice or judge provide evidence of good health satisfactory to the board.

**Sec. 22.25.030. Death Benefits.** (a) Upon the death of a justice or judge who is retired or who is eligible for retirement at the time of his death, his widow is entitled to receive during the remainder of her life and as long as she remains unmarried monthly compensation equal to one-half of the monthly retirement pay to which her deceased husband was or would have been entitled at age 65 on the basis of his actual earnings and service. However, in order to receive the compensation, his widow must have been his wife continuously for at least five years immediately before his death. For the purposes of this subsection, a justice or judge who has served five or more years at the time of his death is considered eligible for retirement as of the date of his death.

(b) If the provisions of (a) of this section are not applicable, then, upon the death of a justice or judge who at the time of his death is eligible for retirement, the surviving designated beneficiary of the justice or judge, or, if there is no surviving beneficiary, the estate of the justice or judge is entitled to a refund of the contributions, together with interest credited thereon, made by the justice or judge under the provisions of sec. 60 of this chapter.

(c) Upon the death of a retired justice or judge, when the provisions of (a) of this section are not applicable, and upon the death of a widow who has received death benefits under (a) of this section, the surviving designated beneficiary, or if none, then the estate of the justice or judge receives the excess, if any, of the deceased's contributions, together with the interest credited thereon, over the sum of retirement benefits that have been paid to the justice or judge and death benefits, if any, that have been paid to the deceased widow.

**Sec. 22.25.040. Refund of Contributions.** A justice or judge who vacates his office for any reason and who is not then eligible for retirement is entitled to receive a refund of the total amount

of his contributions, together with interest credited thereon. In the event that a justice or judge who has received a refund of contributions returns to active service, he shall repay within one year the refunded contributions with interest at the prevailing prescribed rate to receive credit for his earlier period of service under sec. 10(f) of this chapter.

**Sec. 22.25.050. Financing and Administration.** (a) There shall be established in the Public Employees' Retirement System of Alaska a separate justices' and judges' retirement account, which shall be administered as a part of and in like manner as the Public Employees' Retirement System.

(b) There shall be credited to that account (1) the contributions provided by sec. 60 of this chapter, and (2) interest income and other income accruing to the system under the provisions of AS 39.35, in such reasonable pro-rata amount as may be determined by the Public Employees' Retirement System. Retirement pay and other benefits for justices and judges and their beneficiaries under secs. 10 - 70 of this chapter are paid from the special account.

**Sec. 22.25.060. Contributions.** (a) Beginning on the effective date of secs. 10 - 70 of this chapter, each justice and judge shall contribute five per cent of compensation earned and accruing after that date. This contribution is made in the form of a deduction from compensation, and is made notwithstanding that the compensation paid in cash to the justice or judge is reduced thereby below the minimum prescribed by law. Each justice and judge is considered to consent to the deduction made from his compensation. Payment of compensation less the deduction constitutes a full and complete discharge and acquittance of all claims and demands for the services rendered by him during the period covered by the payment, except as to the benefits provided for under secs. 10 - 70 of this chapter.

(b) For services rendered after the effective date of secs. 10 - 70 of this chapter, the state court system shall make contributions concurrently with the contributions by the justices and judges in an amount to be determined in the same manner as employer contributions are determined under the Public Employees'

Retirement System of Alaska. The amount required for contributions by the state court system for the purposes of secs. 10 - 70 of this chapter shall be included in its annual appropriations, together with an amount necessary for its pro-rata share of the administrative expense of the retirement system.

Sec. 22.25.070. **Transfer of Contributions.** Upon the effective date of secs. 10 - 70 of this chapter, the commissioner of administration shall transfer to the justices' and judges' retirement account provided by sec. 50 of this chapter all amounts then credited to the employee contribution account and the employer asset share account of the Public Employees' Retirement System of Alaska which were credited to those accounts by reason of membership of justices or judges in the Public Employees' Retirement System before the effective date of sec. 10 - 70 of this chapter. Any amount held for the account of a justice or judge in an employee savings account, together with interest that may have accrued, shall be distributed to the justice or judge as soon as possible following the effective date of secs. 10 - 70 of this chapter.

Sec. 2. AS 39.35.370(c) is amended to read:

(c) The monthly amount of the normal retirement pension is the sum of

(1) one-half of one per cent of the employee's average monthly compensation multiplied by his years of credited service, including fractional years; and  
(2) three-fourths of one per cent of the employee's average monthly compensation in excess of one-twelfth of the average annual taxable wage under the federal social security program during the period of credited service, after the effective date, multiplied by the number of years of credited service, including fractional years.

Sec. 3. AS 39.35.680(5) is amended to read:

(5) "employee" means a person who receives remuneration for full-time personal services regularly rendered to an employer or who would receive remuneration except for an authorized leave of absence, excluding (A) persons compensated on a contractual or fee basis, (B) casual or part-time workers in a position having duties which will not permit at least six months of service during a calendar year, (C) persons covered by the Alaska teachers' retirement system, (D) employees of the division of marine transportation engaged in operating the state ferry system who are covered by a union or group retirement system to which the state makes contributions, and (E) justices and judges of the supreme and superior courts of Alaska;

Became law without signature  
May 4, 1963

## CHAPTER 103

### AN ACT

**Relating to the Alaska Motor Freight Carrier Act; and providing for an effective date.**

(C.S.H.B. 200)

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

Section 1. AS 42.10.020 is amended to read:

Sec. 42.10.020. **Exempt Vehicles.** This chapter shall apply to all vehicles unless specifically exempted by this section. This chapter, except when specifically otherwise provided, does not apply to

(1) motor vehicles operated exclusively in the transportation of United States mail or in the transportation of newspapers or periodicals alone or in conjunction with an express service delivering packages not to exceed 100 pounds to any one receiver;

(2) motor vehicles owned and operated by the United States, the state, or a borough, city, town, or municipality