

CHAPTER 162

AN ACT

Relating to the election of national committeemen and committeewomen to fill vacancies on the national committee; amending Ch. 23, SLA 1953.

(H. B. 151)

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

Section 1. Sec. 1 of Ch. 23, SLA 1953, is hereby amended to read as follows:

Sec. 1. At the primary election to be held in 1954 and again in 1956, and at each such election every four years thereafter, each political party whose candidate for Delegate to Congress from Alaska receives at least ten per cent of the votes cast in the last general election, which parties shall hereafter be referred to as major political parties, shall elect its national committeeman and national committeewoman. The candidate for national commit-

teeman and candidate for national committeewoman for each major political party who shall receive the highest number of votes shall thereby be elected and shall hold office commencing the 15th day of June next after the election and for four years thereafter until a successor is elected and qualified. In the event of a vacancy by death, resignation, or otherwise, such vacancy shall be filled for the unexpired term by a person duly elected at a party convention called by the Territorial Central Committee of the party in which such office is vacant and to be held within 90 days of the occurrence of such vacancy.

Approved April 3, 1957.

CHAPTER 163

AN ACT

Empowering the Governor to designate the Military Department of the Territory as the surplus property administrative agency; authorizing the administrative agency to receive property under applicable Federal law; providing for the distribution and warehousing of surplus property; authorizing an appropriation; and setting an effective date.

(H. B. 219)

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

Section 1. **Empowering the Governor to Designate the National**

Guard as the Surplus Property Administrative Agency. The Governor of Alaska is hereby empowered to designate the Military Department

as the Territorial Surplus Property administrative agency. There is hereby established in the office of the Adjutant General an activity to be known as the Alaska Surplus Property Service, for which the Adjutant General shall be responsible under the supervision of the Governor in addition to his other duties, and in connection with which the designation "Administrator" shall be used. The Administrator's services rendered hereunder may be charged to the Surplus Property Service Special Fund in such amounts as may be determined by the Board of Administration.

Sec. 2. Authority and Duties of the Alaska Surplus Property Service.

(1) The Alaska Surplus Property Service is hereby authorized and empowered (a) to acquire from the United States of America under and in conformance with the provisions of The Federal Property and Administrative Services Act of 1949 as amended, hereinafter referred to as the "Act", and any other applicable Federal Statutes and Regulations, (63 Stat. 377 et seq., 40 USCA 471 et seq.) such property, including but not limited to equipment, materials, books, or other supplies under the control of any department or agency of the United States of America as may be usable and necessary for purposes of education, (including educational activities which are of special interest to the armed services) public health or civil defense, including research for any such purpose, and for such other purposes as may now or hereafter be authorized by Federal law; (b) to warehouse such property; and (c) to distribute such property within the Territory to tax-supported medical institutions, hospitals, clinics, health centers,

school systems, colleges, schools, and universities within the Territory, to other non-profit medical institutions, hospitals, clinics, health centers, schools, colleges and universities which have been held exempt from taxation under Section 501 (c) (3) of the United States Internal Revenue Code of 1954, including any future amendments thereto, to civil defense organizations of the Territory which are established pursuant to Territorial law, to organizations or institutions engaged in educational activities which are of special interest to the armed services, and to such other types of institutions or activities as may now be or hereafter become eligible under Federal law to acquire such property.

(2) The Alaska Surplus Property Service, under the supervision of the Governor, is hereby authorized to receive applications from eligible institutions above enumerated, including the Territorial Government and all political subdivisions thereof, for the acquisition of Federal surplus real property, investigate the same, obtain expression of views respecting such applications from the appropriate health or educational authorities of the Territory, make recommendations regarding the need of such applicant for the property, the merits of its proposed program of utilization, the suitability of the property for such purposes, and otherwise assist in the processing of such applications for acquisition of real and related personal property of the United States under Section 203(k) of the Act.

(3) For the purpose of executing its authority under this Act, the Alaska Surplus Property Service, under the supervision of the Governor, is authorized and empowered

to adopt, amend, or rescind such rules and regulations and prescribe such requirements as may be deemed necessary; and take such other action as is deemed necessary and suitable, in the administration of this Act, to assure maximum utilization by and benefit to health, educational and civil defense and other eligible institutions and organizations within the Territory from property distributed under this Act.

(4) The Alaska Surplus Property Service, under the supervision of the Governor, is authorized and empowered to make such certifications, take such action, make such expenditures and enter into such contracts, agreements and undertakings for and in the name of the Territory (including cooperative agreements with any Federal agencies providing for utilization by and exchange between them of the property, facilities, personnel and services of each by the other), require such reports and make such investigations as may be required by law or regulation of the United States of America in connection with the disposal of real property and the receipt, warehousing and distribution of personal property received by the Alaska Surplus Property Service from the United States of America.

(5) The Alaska Surplus Property Service under the supervision of the Governor, is authorized and empowered to act as clearing house of information for the public and private nonprofit institutions, organizations and agencies referred to in Sec. 2 (1) of this Act and other institutions eligible to acquire Federal surplus real property, to locate both real and personal property available for acquisition from the United States of America, to as-

certain the terms and conditions under which such property may be obtained, to receive requests from the above-mentioned institutions, organizations and agencies and to transmit to them all available information in reference to such property, and to aid and assist such institutions, organizations and agencies in every way possible in the consummation of acquisitions or transactions hereunder.

(6) The Alaska Surplus Property Service, in the administration of this Act, shall cooperate to the fullest extent with the departments or agencies of the United States of America and shall file a Territorial plan of operation, operate in accordance therewith, and take such action as may be necessary to meet the minimum standards prescribed in accordance with the "Act", and make such reports in such form and containing such information as the United States of America or any of its departments or agencies may from time to time require, and it shall comply with the laws of the United States of America and the rules and regulations of any of the departments or agencies of the United States of America governing the allocation, transfer, use or accounting for, property donable or donated to the Territory.

(7) The Alaska Surplus Property Service upon request of the Governor, is authorized to perform all of the functions necessary to effect the transfer of personal property surplus to the Federal government for all eligible purposes under the provisions of Public Law 659, 1954, as amended, and to comply with regulations of the Federal General Services Administration in connection therewith. In carrying out the purposes of this subsection the

Administrator is authorized upon the Governor's request to act as his Representative in connection with the function to be performed herein.

(8) The Civil Defense organization, officials, and contacts throughout the Territory of Alaska may be utilized to assist in carrying out the purposes of this Act to the extent that this is feasible and can be done without adversely affecting civil defense. In addition, the Administrator may employ on a merit basis such assistants and other workers in the Surplus Property Service as may be required to carry out the purposes of this Act, within the limits of the moneys available to the Service.

Sec. 3. Power of the Administrator to Delegate. The Administrator may delegate to any employees of the Alaska Surplus Property Service such power and authority as he deems reasonable and proper for the effective administration of this Act. The Administrator shall require a bond in an amount not to exceed \$2500.00, of any person in the employ of the Alaska Surplus Property Service handling moneys, signing checks, or receiving or distributing property from the United States under authority of this Act.

Sec. 4. Financing Surplus Property Service. (1) The Alaska Surplus Property Service shall be, to the fullest extent possible, self-supporting. Funds to pay for personal services and all other expenses necessary to operate the Service shall be obtained from any appropriation authorized hereunder and fees to be charged to all users of surplus property, provided no charges be made when property is to be transferred for civil defense purposes. The Administrator shall

establish the fees to be charged. Charges may also be made to reimburse the Service for direct costs, such as packing and transportation, which may be incurred on behalf of users of surplus property.

(2) The charges made or fees assessed by the Alaska Surplus Property Service for the acquisition, warehousing, distribution or transfer of any property of the United States of America for educational, public health or civil defense purposes, including research, and for all purposes eligible under the applicable Federal law shall be limited to those reasonably related to the costs of care and handling in respect to its acquisition, receipt, warehousing, distribution or transfer by the Alaska Surplus Property Service and, in the case of real property, such charges and fees shall be limited to the reasonable administrative costs of the Alaska Surplus Property Service incurred in effecting transfer. A reasonable reserve may be considered as a proper cost.

(3) There is hereby created a special revolving fund in the Territorial Treasury into which shall be covered all fees and other monies collected from users and all receiving agencies. Administrative costs and all incidental expenses shall be paid from this special fund on vouchers signed and submitted by the Administrator. All monies available as of April 1, 1957, from fees collected from users and all receiving agencies, shall be transferred into the special fund created herein and used for the purposes set forth in this Section.

Sec. 5. Authorization to Accept Property. Any provision of law to the contrary notwithstanding, the governing board, or in the case

there be none, the executive head, of any Territorial department, instrumentality, or agency or of any town, city, school district or other political subdivision may by order or resolution confer upon any officer or employee thereof continuing authority from time to time to secure, certify, and accept the transfer to it of property under this Act and to obligate the Territory or political subdivision and its funds to the extent necessary to comply with the terms and conditions of such transfers. The authority conferred upon any such officer or em-

ployee by any such order or resolution shall remain in effect unless and until the order or resolution is duly revoked and written notice of such revocation shall have been received by the Alaska Surplus Property Service.

Sec. 6. Appropriation. Funds to carry out the provisions of this Act may be appropriated in the General Appropriation Bill of the Alaska Legislature.

Sec. 7. Effective Date. This Act shall take effect on April 1, 1957.

Approved April 3, 1957

CHAPTER 164

AN ACT

To provide a judicial procedure whereby a person previously adjudged insane may petition for an order declaring him sane and for the restoration of such rights and powers as may have been lost or impaired by such prior adjudication.

(H. B. 223)

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

Section 1. Petition to Restore Competency. Any person who has been adjudged insane and committed to a mental institution pursuant to Chapter 4, Title 51, ACLA 1949, and who thereafter has been finally discharged from such institution, or from a facility of the United States Veterans Administration, pursuant to Section 51-4-9 thereof, or pursuant to any other law for the final discharge of such persons from such institutions or facilities, may petition the United States Commissioner, ex officio judge of probate, for the precinct

in which the petitioner resides, for an order adjudging the petitioner sane and competent to exercise such rights and powers as may have been lost or impaired as a result of such adjudication and commitment.

Section 2. Hearing; Judgment; Order. Upon the filing of the petition described herein, the United States Commissioner shall, by order, set the time and place for a hearing thereon, which hearing shall be held not less than 30 days nor more than 45 days from the date such petition is filed; provided, however, that the United States Commissioner may, for good