

**84th Congress, 2nd Session.** All commitments previously ordered under Title 48 U.S.C.A. 46, et seq., and P.L. 830, 84th Congress, 2nd Session, or under any laws of the Territory, shall remain fully effective unless the status of any of the same are altered or otherwise changed pursuant to the provisions of this Act.

**Section 132. Transfer of Patients Committed Pursuant to Title 48 U.S.C.A. 46, Et Seq., and P.L. 830, 84th Congress, 2nd Session.** Any Mental patient committed from Alaska pursuant to Title 48 U.S.C.A. 46, et seq., and P.L. 830, 84th Congress, 2nd Session, may be transferred anytime after February 22, 1957, to any designated hospital or other facility as shall be determined by the Department and to the same extent and in the same manner as a patient can be transferred who is committed pursuant to this Act.

**Section 133. Criminal Penalties.** Whoever intentionally causes, or attempts to cause, or conspires with any other person to cause any individual to be committed to any hospital under this Act, knowing or having reasonable grounds for believing that such individual is not mentally ill, and in need of hospitalization, shall be fined a sum not exceeding \$10,000.00 or imprisoned not more than ten years,

or both such fine and imprisonment. The court in its discretion may order all or any part of an imposed fine to be paid over to the injured individual.

**Section 134. Federal Statutes Superseded by Proclamation of the Governor.** Pursuant to Title III, Section 301, of Public Law 830, 84th Congress, 2nd Session, the governor of Alaska may, by proclamation, declare to be superseded by this Act, all of the laws cited in said Section 301 of Public Law 830, 84th Congress, 2nd Session, and that the same shall be repealed as of the effective date specified in said proclamation.

**Section 135. Repealing Chapter 175, SLA 1955, and Chapter 62, SLA 1951.** Chapter 175, SLA 1955, and Chapter 62, SLA 1951 are hereby repealed.

**Section 136. Severability.** The fact that any Section, subsection, sentence, clause or phrase of this Act is declared invalid for any reason shall not affect the remaining portions of this Act.

**Section 137. Declaration of an Emergency and Setting an Effective Date.** An emergency is hereby declared to exist and this Act shall be in full force and effect as of the effective date specified in the Governor's proclamation.

Approved March 26, 1957

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## CHAPTER 88

### AN ACT

**Amending Section 37-2-8, (12), ACLA 1949, as amended, relative to the authority of the Territorial Board of Education to discontinue the**

operation and maintenance of Territorial Schools; providing for the creation of new School Districts by the Board of Education by petition to the District Court when the local populace refuses to form a School District.

(S. B. 39)

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

Section 1. Sec. 37-2-8, (12), ACLA 1949, as amended by Chapter 72, Session Laws of Alaska 1951, is hereby amended as follows:

(12) (a) The Territorial Board of Education is hereby authorized to discontinue the operation and maintenance of any school in any unincorporated town, village, or settlement when the average daily membership thereof reaches one hundred (100) students and in the Board's discretion the community is able to provide local school support in accordance with Territorial law. Before making determination of ability to support a school the Board shall request the Alaska Rural Development Board or other appropriate agency to make an economic survey of the area to determine potential taxable property valuations and other sources of revenue for local school support. In the event that the Alaska Rural Development Board or other agency cannot conduct such survey, the Territorial Board of Education may cause such survey to be made with the cost to be paid from the appropriation for support of schools outside districts. Such survey shall be instituted no later than November 1 of any school year and completed no later than January 1. If the Territorial Board of Education shall then determine that the local community is able to provide necessary local school sup-

port, the Board, at any time before March first of any school year, shall cause to be posted, on the main door of the school and in two other places in the community, written notice that the Territory will discontinue the operation and maintenance of the school on a day certain and that the local populace will be given an opportunity, within thirty (30) days after the posting of said notice, to take the necessary steps preparatory to forming an appropriate school district. If a representative local committee is formed and shall request legal assistance in initiating action toward incorporation from the Office of Attorney General, such initial legal assistance shall be provided. Upon failure of the local populace to take such steps within the prescribed time limit, the Territorial Board of Education, shall order the establishment of an incorporated school district in that community, set the boundaries therefor and issue an order providing for an election so that the qualified voters of the proposed school district may choose a Board of five (5) directors. At any time within twenty (20) days after the issuance of the said order of the Board, any resident of the proposed district may petition the District Court for a review of said order. If the Court is satisfied that the Board's determination is based upon reasonable grounds, the Court shall thereupon enter an appropriate decree

confirming the order of the Board, otherwise it may set aside said order.

(b) The general powers of the school board and all other provisions pertaining to the formation of an incorporated school district, not inconsistent herewith, as found in Sections 37-3-11 through 37-3-26, ACLA 1949, as amended, shall be applicable to school districts formed pursuant to this Act.

(c) When a school district is formed under the provisions of this Act, the school board of the district may request the Territorial Department of Taxation to furnish initial assistance in setting up a property valuation and assessment roll and the initial tax levy and the Territorial Department of Taxation shall furnish such initial assistance.

(d) The Territory shall provide the following financial assistance to school districts formed pursuant to this Act:

1. For the first two fiscal years of operation commencing on July 1 following the March 1 on which notification of in-

tent to discontinue operation is given, the Territory shall pay from funds available for support of district schools, one hundred percent (100%) of the approved budget as set up according to Territorial law and approved by the Commissioner of Education. Local expenditures above this approved budget may be made by the local school board but shall be paid for with local funds;

2. For the third fiscal year of operation, the Territory shall pay ninety percent (90%) of the approved budget; and

3. For the fourth fiscal year of operation, and for each and every fiscal year thereafter, the school district shall be placed in the appropriate school reimbursement group in accordance with then existing Territorial laws.

(e) The Territorial Board of Education shall have authority to convey, at no cost, existing school structures and facilities in the community to the new school district formed pursuant to this Act.

Approved March 27, 1957

## CHAPTER 89

### AN ACT

**Relating to the amendment of Sec. 3 (a) (3), Ch. 95, SLA 1951, and permitting Federal-Territorial agreements to be retroactive.**

(S. B. 12)

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

Section 1. Sec. 3 (a) (3) of Ch. 95, SLA 1951, is hereby amended to