

CHAPTER 186

AN ACT

Creating a presumption of negligence when a person fails to close a roadside gate; defining roadside gate; and providing for an effective date.

(C.S.S.B. 59)

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

Section 1. Any person failing to close a roadside gate after having opened the same, which roadside gate is hereby defined as any contrivance made for the purpose of passing through a fence which is located alongside of or near any

public or private road and which fence is used for or intended to retain livestock, shall be presumed to be negligent and liable for all consequent damage upon proof thereof.

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

Approved May 6, 1959

CHAPTER 187

AN ACT

To provide for reservation of the powers of the initiative and referendum to the people of every political subdivision of the State with reference to all legislative authority and amendments to charters for its own government; and establishing procedures for exercising said powers.

(S.B. 90)

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

Section 1. **Reservation of Powers.** The powers of the initiative and referendum reserved by the Constitution to the people of the State, are hereby reserved to the people of every political subdivision now existing or which shall hereafter be created within this State, with reference to all legislative authority which it may exercise, and amendments to charters for its own government.

Sec. 2. **Petition-Signatures-Filing.** Every petition for either the initiative or referendum in the government of a political subdivision shall be signed by a number of qualified electors residing within the territorial limits of such political subdivision equal to twenty-five per centum of the total number of votes cast at the next preceding general election in the city or borough concerned or special election called for the purpose of electing city or borough officers, and every such petition shall be filed with the chief executive officer of such political subdivision.

Sec. 3. **Presentation of Petition to Legislative Body—Submission to Voters.** When such petition demands the enactment of an ordinance or other legal act other than (a) the grant, extension or renewal of a franchise or (b) the hiring, retention or firing of an employee, or (c) a subject restricted by Section 7 of Article XI of the Alaska Constitution, the chief executive officer shall present the same to the legislative body of such political subdivision at its next meeting, and unless the said petition shall be granted more than thirty days before the next election at which any political subdivision officers are to be elected, the chief executive shall submit the said ordinance or act so petitioned for, to the qualified electors at said election; and if a majority of said electors voting thereon shall vote for the same, it shall thereupon become in full force and effect.

Sec. 4. **Submission to Referendum Vote.** When such petition demands a referendum vote upon any ordinance or any other legal act other than (a) the