

CHAPTER 43

AN ACT

Authorizing the transfer of certain appropriations made to the Insurance Commission by Chapter 187, SLA 1957, from an item containing a surplus to an item where there is a deficiency; and providing for an effective date.

(H.B. 72)

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

Section 1. The Commissioner of Insurance is hereby authorized and empowered to transfer the sum of \$354.31 available from the 1957-1959 appropriation for the Insurance Commission for "Personal Services" to the line appropriation

for "Other Operating Expenses" for the purpose of covering a deficiency in the "Other Operating Expenses" line appropriation.

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

Approved March 17, 1959

CHAPTER 44

AN ACT

Governing postponement of civil and criminal matters before State courts and State agencies when defendant's attorney in a court of record, a party, a witness, or attorney of record in civil matters is a member of the Legislature; and providing for an effective date.

(C.S.H.B. 33)

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

Section 1. **Setting Criminal Matter for Trial or Hearing in Court of Record When Defendant's Attorney of Record, a Witness or a Party Is a Legislator or Member of Legislative Interim Committee: Continuances.** Upon a showing that the attorney of record at the time of the defendant's first appearance in the court of record or a principal witness or a party in a criminal proceeding is a member of the Alaska Legislature and that the Legislature is in session or that a legislative interim committee of which he is a duly appointed member is meeting or is to meet within the next seven days, the defendant shall be entitled to a reasonable continuance of the date of trial until at least 15 days after the Legislative session or interim committee meeting, but such continuance for such reason shall not exceed thirty (30) days after recess of the Legislature or interim committee. No continuance shall be granted for any longer time than it is affirmatively proved the ends of justice require.

Sec. 2. **Postponement of Civil Matter When Party, Attorney or Witness a Member of Legislature.** The trial of any civil action, or proceeding in a court, or of any administrative proceeding before a State board, agency, commission or officer, irrespective of the date of the filing thereof or when it became at issue, or the hearing of any motion, or other proceeding, shall be postponed when it appears to the court, board, agency, commission, or officer before which such action or proceeding is pending that either a party thereto, or any attorney of record therein (whether he became an attorney of record before or after the commencement of a legislative session or before or after his appointment to a legislative committee), or a principal witness, is a member of the Legislature of this State and that the Legislature is in session or in recess (not exceeding a recess of thirty-five (35) days) or that a legislative interim committee of which he is a duly appointed member is meeting, or is to meet within a period which the court finds does not exceed the time reasonably

necessary to enable the member to reach the committee meeting by the ordinary mode of travel. When the Legislature is in session or in recess such action or proceeding shall not, without the consent of the attorney of record therein, be brought on for trial or hearing before the expiration of thirty (30) days next following final adjournment of the Legislature or the commencement of a recess of more than thirty-five (35) days. If a date is available during recess, continuance shall be given if possible to such earlier date. When a legislative committee is meeting or is to meet within a period which the court finds does not exceed the time reasonably necessary to enable the member to reach the committee meeting by the ordinary mode of travel, such action or proceeding shall not, without the consent of the attorney of record therein, be brought on for trial or hearing before the expira-

tion of such period necessary following the adjournment or recess of the committee meeting as the court finds is reasonably necessary to enable the member to reach the place of trial or hearing by the ordinary mode of travel from the place of the committee meeting, unless at the expiration of that period the Legislature is to be in session; and in that case the action or proceeding shall not, without such consent, be brought on for trial or hearing before the expiration of thirty (30) days next following final adjournment or the commencement of a recess of more than thirty-five (35) days. If a date is available during the recess, continuance shall be given to such earlier date.

Sec. 3. Effective Date. This Act shall take effect immediately upon its passage and approval, or upon its becoming law without such approval.

Approved March 17, 1959

CHAPTER 45

AN ACT

To appropriate the sum of \$7,631 as a supplementary appropriation to be used in paying United States Commissioners, Clerks of Court, and others for recording and preparing records; and providing for an effective date.

(H.B. 88)

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

Section 1. The sum of \$7,631 or so much thereof as may be necessary, is hereby appropriated to pay United States Commissioners, Clerks of Court, and others for recording and preparing records as authorized by Chapter 119,

SLA 1949 as amended by Chapter 86, SLA 1951 and Chapter 127, SLA 1957, and Chapter 95, SLA 1953 for the biennium ending June 30, 1959.

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

Approved March 17, 1959

CHAPTER 46

AN ACT

Relating to Employment Security; adding another definition of "employment", amending Article II, Ch. 5, ESLA 1955; and providing an effective date.

(H.B. 39)

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

Section 1. Article II of Chapter 5, ESLA 1955, is hereby amended by add-