

CHAPTER 55

AN ACT

Providing for the filling of vacancies in the legislature; repealing Section 38-8-3, ACLA 1949; and providing for an effective date.

(S.B. 56)

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

Section 1. Filling Vacancies in the Legislature. When a vacancy occurs in the legislature, whether the legislature is in session or recess, the vacancy shall within thirty days thereof be filled by appointment by the governor, subject to confirmation by a majority of the members of the legislature who are members of the same party and of the same house of the legislature as the person creating the vacancy. No person shall be eligible to appointment to such vacancy unless he is a member of the same party, a resident of the same election district as the person creating the vacancy, and is otherwise qualified as a candidate to such office. If the person creating the vacancy was not a member of a political party or was not nominated for the legislature by a political party or if no other member of his political party is a member of his house of the legislature, the appointment to fill such vacancy shall not be subject to confirmation.

Sec. 2. Same: Recess Appointments. When an appointment to a vacancy in the legislature is made during a recess thereof, the person so appointed shall serve until his appointment is either confirmed or rejected by the legislature in the manner provided in Section 1 of this Act if such confirmation is required. If such appointment is confirmed the term of such person shall be as prescribed in Sec. 4 of this Act.

Sec. 3. Same: Immediately Before El-

ection. If a vacancy in the legislature occurs within forty days of the date set for a primary or general election, no appointment shall be made to fill such vacancy, unless no candidate to fill such legislative vacancy obtains a place on the official ballot in such primary or general election in the district represented by the person creating the vacancy, in which event the vacancy shall be filled by appointment and confirmation in the manner provided in this Act. In no event shall a person elected to fill a vacancy in the legislature occurring within forty days of a primary or general election serve for more than the unexpired portion of the term, if any, of the person creating the vacancy, unless subsequently elected at a general election for the full term.

Sec. 4. Term of Office of Appointee to Legislature. Any person appointed and confirmed, if confirmation is required, to fill a vacancy in the legislature, shall serve until the next general election following his appointment. The remainder of the unexpired term of the person creating the vacancy, if any, shall be served by a person elected at such general election in the manner provided for election to the legislature.

Sec. 5. Repeal. Sec. 38-8-3, ACLA 1949, is hereby repealed.

Sec. 6. Effective Date. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved March 24, 1959

CHAPTER 56

AN ACT

To provide for the disposition of the records and property of the former Alaska Statehood Committee; and providing for an effective date.

(H.B. 56)