

CHAPTER 78

AN ACT

Relating to the impounding of dogs threatening the peace, persons or property in or near political subdivisions of the state; providing for the enforcement thereof; repealing Ch. 114, SLA 1951; and providing for an effective date.

(C.S.S.B. 12)

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

Section 1. Any dog running at large and threatening the peace, persons, or property in any incorporated political subdivision of the state, or within ten miles of the boundaries thereof, may be impounded for a period of ten days. If within such period the owner of the impounded dog fails to claim the animal and pay costs of catching and impounding as fixed by such political subdivision, the dog shall be destroyed or may be

sold to pay such costs.

Sec. 2. All incorporated political subdivisions of Alaska are hereby authorized independently or in agreement with the State of Alaska, to enforce the provisions of this Act.

Sec. 3. Ch. 114, SLA 1951 is hereby repealed.

Sec. 4. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Became law over Governor's veto April 11, 1959

CHAPTER 79

AN ACT

To amend the Village Incorporation Act of 1957, Ch. 150, SLA 1957, by adding certain sub-sections to Sec. 6 thereof; and by adding a new section to define the term "Incorporated Village"; and providing an effective date.

(C.S.S.B. 26)

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

Section 1. Sec. 6 of Ch. 150, SLA 1957 is hereby amended by adding the following sub-sections:

(12) **Offenses: Disposition of Money from Fines: Magistrate.** To prohibit drunkenness, gambling, houses or places of ill fame, disorderly conduct, or conduct endangering the public peace, public health, or public safety, and define such offenses, and to prescribe the punishment therefor, but such punishment shall not exceed in any case a fine of \$25.00 or imprisonment in the village jail not exceeding five days, which may be set aside if the payment of \$5.00 per day is made in lieu thereof, or both such fine and imprisonment. All fines and costs imposed and collected for violation of

village ordinances shall belong to the village and be paid over to the proper village officer. The village magistrate shall have jurisdiction of all actions for violations of village ordinances, and appeals shall lie from his judgment to the United States District Court for the Division in which such village is situate, in the same manner as appeals from the judgment of the ex-officio justices of the peace to the District Court. Proceedings before the village magistrate shall be in substantial conformity with those proceedings generally held in a magistrate's court of a second class city.

(13) To make provision for the maintenance of a village jail and to provide the same with a jailer or to enter into any contract or agreement not inconsistent with law, with the Federal government or any agency

thereof, or the State of Alaska, for the incarceration of prisoners.

(14) To appoint a clerk, a treasurer who shall be bonded in an amount not to exceed \$10,000.00 as determined by the council, an assessor, a village magistrate, a chief of police, and such other officers or employees as may be necessary, and receive such compensation as may be provided by ordinance, but none of such officers or employees shall be appointed for a term longer than one year nor beyond the term for which members of the council are elected; provided, however, that the council may, if it so elects, select such a clerk, treasurer and municipal magistrate from among its own number, but no member of the said village council shall receive compensation for performing duties of any of the said offices.

(15) To take such action by ordinance, resolution, or otherwise, as may be necessary to protect and preserve the lives, the health, the safety, and the well-being of the people of the village and to publish all ordinances.

(16) Whenever 35% of the total number of voters in the last general municipal election held in any incorporated village shall petition the village council so to do, the council shall cause to be placed upon a separate ballot, at the next village election, the following question: "For the sale of intoxicating liquors....." (yes or no). It shall be the duty of the regular election officers to canvass the said ballots and to report the results thereof to the village council, who shall cause the results to be published. If, upon receipt of the certificate of election, the village council finds that a majority of the voters are in favor of the sale of intoxicating liquors in said incorporated village, notice thereof shall be forwarded to the office administering liquor licenses and all applications for licenses within the said village shall be processed in accordance with the law herein; and if the village council finds that a majority of the voters are against the sale of intoxicating liquor in said incorporated village, notice thereof shall

be forwarded to the office administering liquor licenses and all applications for licenses within the said village shall thereafter be denied and no further licenses shall be issued therein for a period of one year, nor shall the office administering liquor licenses issue a new beverage dispensary or retail license for premises located within five (5) miles of said village; provided, however, if a majority of the voters at a subsequent election conducted for the purpose and in accordance with the provisions hereof favor the sale of intoxicating liquor in said village, the office administering liquor licenses shall, upon application, issue a license to the same or other premises within said village as were in existence on the date of the last election, at which a majority of the voters prohibited the sale of intoxicating liquor, and a priority shall be given to those applicants who were licensees and whose licenses were not renewed by reason of the last election conducted under the provisions of this Act, said license shall be issued irrespective of any resulting restriction which arose subsequent to the prohibiting election; provided, however, at the next general election following the enactment of this Act, there shall be placed upon a separate ballot the question: "For the sale of intoxicating liquors....." (yes or no). The election and the recording of the results thereof shall be conducted in accordance with the procedure set forth above.

(17) To increase by ordinance the number of village councilmen from five to seven.

Sec. 2. Ch. 150, SLA 1957 is hereby amended by adding the following new section, designated as Sec. 13, to read as follows:

Sec. 13. The term "incorporated village" shall mean and be synonymous with the term "city of the fourth class"; provided, that the use of the term shall not be construed to include incorporated villages as constituting city school districts under the provisions of Sec. 37-3-32, ACLA 1949, as amended by Ch. 51, SLA 1951.

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

Became law over Governor's veto April 11, 1959

CHAPTER 80

AN ACT

To prohibit employment of certain females or the taking of compensation by females for certain purposes in connection with the sale of intoxicating liquors and providing penalties.

(H.B. 12)

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

Section 1. No female person shall be employed by any liquor or beverage dispensary, club, road house, restaurant, or common carrier dispensary license issued under the laws of the State of Alaska, to solicit, entice or encourage the purchase by patrons of any such licensed premises of alcoholic beverages upon a rebate, percentage, or share the profit basis, or any other basis; nor shall any such female person receive any salary or other compensation from any person for the solicitation, enticement, or encouragement of the purchase of

alcoholic beverages as hereinabove set forth. Bona fide entertainers, hat check girls and female employees not directly or principally employed to solicit sales of intoxicants shall be exempt herefrom.

Sec. 2. Any female person or the holder or operator of any liquor dispensary, club, restaurant, or common carrier dispensary license violating the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$300.00 or more than \$1,000.00, or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Approved April 14, 1959

CHAPTER 81

AN ACT

Relating to the leasing of space for state purposes; amending Art. IV, Ch. 82, SLA 1955 as amended by Ch. 186, SLA 1957; and providing for an effective date.

(H.B. 119)

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

Section 1. Article IV of Ch. 82, SLA 1955 as amended by Ch. 186, SLA 1957, is hereby amended to include a Sec. 8 to read as follows:

Sec. 8. **Leases.** The Purchasing Agent is hereby authorized and directed to lease necessary space, and contract for the lease of space for the use of the state or any agency or branch thereof, wherever it is neces-

sary and feasible; subject, however, to full compliance with the preceding requirements of this article. Any agency, authority, branch, office, bureau or office of the state requiring office, warehouse or other space for state purposes and uses, shall lease such space solely through the Purchasing Agent.

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

Approved April 14, 1959