

and designate the number of non-residents that may be employed and for what period.

Sec. 6. Act Incorporated in Contracts. The provisions of this Act and the following penalty shall be deemed to be included into every public works contract let after the effective date hereof.

Sec. 7. Publication. The commissioner of labor is authorized and directed to distribute to all departments and agencies of the state government and to all local governments a list of the names of persons or firms convicted of violation of this Act. No contract shall be awarded to any person or firm appearing on such list or to any firm, corporation, partnership or association in which such persons or firms have an interest until after a period of three years has elapsed from the date

of publication of the list containing the names of such persons or firms.

Sec. 8. Penalty. a. Every contractor violating any provision of this Act shall have deducted from amounts due him under the contract the prevailing wages which should have been paid to a displaced resident, such amounts shall be retained by the contracting agency.

b. An contractor or agent of such contractor who violates any provision of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined the sum of not more than \$500.00 or imprisoned for not more than 90 days, or both.

Sec. 9. Effective Date. This Act takes effect on the day after its passage and approval or upon its becoming law without such approval.

Approved April 23, 1960

CHAPTER 178

AN ACT

Relating to the Alaska Bar Association and the regulation of the practice of law; amending Ch. 196, SLA 1955 as amended by Ch. 33, SLA 1957; and providing for an effective date.

(H.B. 378)

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

Section 1. Sec. 5, Ch. 196, SLA 1955 is amended to read as follows:

Section 5. Board of Governors. There is hereby constituted a Board of Governors of the Alaska Bar to be first elected pursuant to rules promulgated by the Alaska Bar Commission and, subsequent to the first election, to rules promulgated by the Board of Governors. The Board shall consist of nine (9) active, practicing members who shall be elected by the active members of the Alaska Bar from the four judicial districts as described in Sec. 16, Ch. 50, SLA 1959. Three (3) members shall be elected from the First Judicial District, three (3) members from the Third Judicial District, and three (3) members from the combined area of the Second and Fourth Judicial Districts, provided however that no more

than two shall be resident practicing attorneys in the Fourth Judicial District when there are four or more resident practicing attorneys in the Second District. The members of the Board of Governors shall hold office for three years and until their successors are elected and qualified. The members of the first elected Board of Governors, at their first meeting, shall so classify themselves by lot that three of them shall hold office for one year only, three others for two years only, and three others for three years only; after which first election three Board members shall be elected annually, one from each area, as hereinabove defined. The active members of the Alaska Bar who are in actual attendance at the Association's annual convention shall elect by a majority vote during the convention the Association's officers from the membership of the Board of Governors. Vacancies in Board membership shall

be filled by appointment by the remaining Board members until the next annual election.

Sec. 2. Subsec. f., Sec. 7, Ch. 196, SLA 1955 is amended to read as follows:

f. Providing for the organization and government of district, municipal and other local subdivisions of the Alaska Bar;

Sec. 3. Subsec. h., Sec. 7, Ch. 196, SLA 1955 is amended to read as follows:

h. Providing for all other matters, whether similar to the foregoing or not, affecting in any way whatsoever the organization and functioning of the Alaska Bar. Any such rule may be modified or rescinded, or a new rule may be adopted, by a vote of the active members of the Association under rules to be prescribed by the Board of Governors. Rules adopted by the Board of Governors are not subject to the provisions of the Administrative Procedure Act.

Sec. 4. Sec. 9, Ch. 196, SLA 1955 as amended by Sec. 1, Ch. 33, SLA 1957 is amended to read as follows:

Section 9. Eligibility for Admission.

Any person may apply and shall be eligible for admission to the Alaska Bar, upon examination or by reciprocity as provided in this Act, if such person (1) is a citizen of the United States, over 21 years of age, and has been a resident of Alaska for at least 90 days prior to the date of application for admission by examination or by reciprocity, and the date for the examination for admission or for certification by the Board of Governors that the person be admitted on reciprocity shall be at least 90 days after the application is made; and (2) is a graduate of a law school approved by the American Bar Association, or is an attorney in good standing in the Bar of another state or territory, or has completed a clerkship in the manner which was required by Sec. 35-2-44, ACLA 1949, which clerkship was commenced prior to January 1, 1956.

(a) **Reciprocity.** Attorneys in good standing in the Bar of another state or territory or the District of Columbia, which admits members of the Alaska

Bar to the practice of law therein, shall be admitted without examination and otherwise upon substantially the same terms and conditions as are fixed in their respective jurisdictions for the admission of attorneys from Alaska; Provided, however, that as a prerequisite to admission to the Alaska Bar the Board shall require any such attorneys to take and pass an examination, unless the applicant has (1) passed a state bar examination, (2) engaged in the active practice of law for at least five out of the previous six years before filing the application, excluding time spent in the military service of the United States, (3) is a graduate of a law school accredited by the American Bar Association; provided that ten years active practice of law shall be deemed equivalent to graduation from an accredited law school for the purposes of this subsection, and (4) meets the character requirements determined by the Board. This proviso shall not be applicable to those attorneys whose applications were completely submitted prior to May 29, 1959, but shall be applicable to those attorneys whose applications were or are completed thereafter.

(b) **Examination.** All other applicants for admission to the Alaska Bar shall, before being certified by the Board for admission, take and pass an examination in the manner required pursuant to this Act.

Sec. 5. Sec. 11, Ch. 196, SLA 1955 is amended to read as follows:

Section 11. Procedure for Admission.

The Board of Governors shall pass upon all applications for permission to practice law before the courts of Alaska, and when satisfied that an applicant has the requisite qualifications to practice as an attorney and counselor, the Board shall so certify to the Supreme Court of Alaska. Upon receiving such certification, unless objection be raised therein within five days, the Court shall make an order admitting the applicant, and the Clerk shall issue him a certificate of admission. In the event that an objection is raised, the sufficiency thereof shall be finally determined within thirty days.

Sec. 6. Sec. 14, Ch. 196, SLA 1955 is amended to read as follows:

Section 14. Disciplinary Proceedings and Review. Upon finally determining any cause involving the discipline, disbarment, suspension or reinstatement of a member of the Alaska Bar, the Board of Governors shall certify its findings and recommendations thereon to the Supreme Court of Alaska. Upon receiving the findings and recommendations, the Court shall, within thirty days thereafter, issue an order of disbarment, suspension, reinstatement, dismissal, or otherwise, in full accordance with the recommendations of the Board of Governors, unless the accused member shall sooner petition the Court for review of the proceedings, findings and recommendations of the Board. In the event such petition is made, the

Court shall proceed promptly with the review in the manner prescribed in the Administrative Procedure Act.

Sec. 7. Section 10, Ch. 196, SLA 1955 is amended to read as follows:

Sec. 10. Fees

a. There shall be an annual membership fee for active members which shall not exceed the sum of \$100.00 payable on or before February first of each year. The Board of Governors shall have the power before January first of any year to establish the membership fee for the succeeding year.

Sec. 8. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Became law without signature April 23, 1960

CHAPTER 179

AN ACT

Relating to the school tax; prescribing penalties; changing the source of payments to the Teachers' Retirement Fund; amending Ch. 41, SLA 1957 as amended by Ch. 175, SLA 1957 and Ch. 149, SLA 1959; amending Secs. 37-4-3 and 37-4-7, ACLA 1949; repealing and re-enacting Secs. 37-4-4, 37-4-5, and 37-4-6, ACLA 1949; repealing Secs. 37-4-8 through and including 37-4-12, ACLA 1949; amending Ch. 145, SLA 1955 as amended by Ch. 142, SLA 1957; and providing for an effective date.

(S.B. 209)

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

Section 1. Sec. 1, Ch. 41, SLA 1957, as amended by Ch. 175, SLA 1957 and Ch. 149, SLA 1959 is amended to read as follows:

Section 1. Tax Imposed: Persons Subject to Tax: Amount: Payment: Due Date of Tax: Penalty for Delinquency. There is hereby imposed upon all persons nineteen years of age or over who are gainfully employed in this state or on the waters thereof a school tax of \$10.00 per year except (1) those married women who are unemployed and whose support is entirely dependent upon the income of their husbands and whose husband has paid a school tax for the current year, and (2) those persons exempt under the

provisions of Sec. 37-4-3, ACLA 1949 as amended or as hereafter amended. The proceeds of the tax levied by this Act shall be paid into the general fund of the state.

The tax shall be due on January 1 and shall be paid not later than April 15 of the calendar year following the year for which it is imposed. All employers upon the first regular payroll after January 1, of each calendar year or, in the case of employees on later payrolls, on the first payroll after their employment, shall make deduction of such tax from the employee's salary or other compensation and transmit it to the Commissioner of Revenue at the same time the quarterly Alaska Net Income Tax withholding return is filed, provided no deduction may be made in