

prosecuted, and sentenced in the same manner as if he were an adult.

The district magistrate's court shall also have exclusive jurisdiction in any controversy concerning the custody of a minor, except divorce actions, actions for separate maintenance and actions under the Uniform Reciprocal Enforcement of Support Act. The district magistrate's court shall have the power to appoint a guardian of the person and property of any minor within its jurisdiction and shall have the power to order support from either parent or from both.

In any of the aforesaid actions cognizable in the superior court the superior court may order the minor delivered to the custody of the Department of Health and Welfare, if the court deems such action in the best interest of the minor, and in such case the Department of Health and Welfare shall receive such money as the court may order paid for the support of the child.

Sec. 2. Effective Date. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 13, 1961

CHAPTER 77

AN ACT

Relating to the punishment for criminal attempt; amending Sec. 65-2-5, ACLA 1949; and providing for an effective date.

(H.B. 154)

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

Section 1. (Sec. 65-2-5, ACLA 1949 is amended to read as follows:

Attempt: Punishment. That if any person attempts to commit any crime, and in such attempt does any act toward the commission of such crime, but fails, or is prevented or intercepted in the perpetration thereof, such person, when no other provision is made by law for the punishment of such attempt, upon conviction thereof, shall be punished as follows:

First. If the crime so attempted be punishable by imprisonment in the penitentiary or state jail, the punishment for the attempt shall be by like imprison-

ment, as the case may be, for a term not more than half the longest period prescribed as a punishment for such crime. If the period prescribed as a punishment for such crime is an indeterminate or life term, the punishment for the attempt shall be fixed by the court at a term not more than 10 years.

Second. If the crime so attempted be punishable by fine, the punishment for the attempt shall be by fine not more than half the amount of the largest fine prescribed as a punishment for such crime.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 13, 1961

CHAPTER 78

AN ACT

Permitting the State of Alaska to qualify for and to spend federal monies for increasing teachers' salaries, school construction and other educational purposes; and providing for an effective date.

(H.B. 158)

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

Section 1. **Declaration of Intent.** In the event that the United States Congress

enacts legislation making federal monies available to the states for teachers' salaries, school construction and other educational purposes it is the desire of the legislature that the Governor or the State Board of Education as the federal law may require have sufficient flexibility in the use of monies appropriated to the Department of Education to meet all reasonable federal requirements for obtaining the full amount of federal monies which may be obtained by the state under such federal aid program.

Sec. 2. Expenditure of State and Federal Funds for Teachers' Salaries. In the event the United States Congress enacts legislation when the legislature is not in session making monies available to the states for teachers' salaries the Governor or the State Board of Education as the federal law may require is authorized to accept and use part or all of the federal monies made available to the State of Alaska to increase teachers' salaries according to a minimum salary schedule to be arrived at by the State Board of Education. The Governor or the State Board of Education as federal law may require is authorized to use monies appropriated by the legislature for teachers' salaries for matching purposes and is authorized to expend such federal monies so obtained for increased teachers' salaries in addition to state monies already appropriated for that purpose. Any modified state minimum salary schedule arrived at as a result of receiving federal monies may be put into effect by executive order signed by the Governor or by order of the State Board of Education whichever appears to be the most proper under federal law. This minimum salary schedule shall be valid under such order until such time as it is altered or approved in full by the legislature. The term "teacher" for the purposes of this Act shall include teachers, school superintendents and other public school employees covered by the state minimum salary schedule who would be qualified to receive federal monies through the state.

Sec. 3. Expenditure of State and Federal Monies for School Construction. In the event the United States Congress enacts into law legislation making monies available to the state for school construction while the legislature is not in session the Governor or the State Board of Education as the federal law may require is

authorized to accept and use such federal monies and to apply them to the cost of constructing and improving school buildings and facilities to the extent such construction and improvement is authorized by the legislature at the time federal monies become available. If a condition to receiving federal monies for school construction is that the state increase its expenditures for that purpose over expenditures authorized by the legislature at the time federal monies become available the Governor or the State Board of Education as the federal law may require is authorized to use monies appropriated by the legislature for school construction for matching purposes and to make further federal monies available for school construction in addition to state monies already appropriated for that purpose. To the extent practicable expenditure of state and federal monies shall be limited to projects already programmed by the Department of Education and authorized by the legislature at the time federal monies become available.

Sec. 4. Apportionment of Federal Aid Granted Without Limitations as to Use. In the event federal monies are made available to the state without limitation or restriction as to the educational purposes for which they may be spent or in the event the Federal Government permits the expenditure of such monies for alternative educational purposes, including payment of teachers' salaries, the Governor or the State Board of Education as the federal law may require is authorized to use whatever percentage of such monies not to exceed 50% thereof for increasing teachers' salaries in conformity with a minimum state salary schedule to be adopted by the State Board of Education. The Governor or the State Board of Education as the federal law may require is authorized to use the remainder of such monies to supplement existing educational programs.

Sec. 5. Use of Line Item Appropriations for Matching Purposes. The Governor or the State Board of Education as the federal law may require is authorized to direct the use of any state monies appropriated in any line item for the Department of Education to match federal monies which will be made available to the state for substantially the same purpose or program as the monies appropriated by the

line item at whatever matching ratio is established for such federal monies.

Sec. 6. Consent to Reasonable Conditions. The Governor or the State Board of Education as the federal law may require is authorized to accept all reasonable conditions which may be required by the

Federal Government as a condition to receiving federal monies for education purposes.

Sec. 7. Effective Date. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 13, 1961

CHAPTER 79

AN ACT

Relating to sales of real property by guardians; amending Sec. 62-3-19, ACLA 1949.

(H.B. 160)

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

Section 1. Sec. 62-3-19, ACLA 1949, is amended to read:

Sec. 62-3-19. Action to Recover Real Estate: When to Be Commenced. No action for the recovery of any estate sold by a guardian under the provisions

of this chapter shall be maintained by the ward, or by any person claiming under him, unless it be commenced within five years next after the termination of the guardianship, excepting only that minors and others under legal disability to sue at the time when the cause of action shall accrue, may commence their action at any time within five years next after the removal of the disability.

Approved April 13, 1961

CHAPTER 80

AN ACT

Relating to the establishment of a business, economics and public administration research program by the University of Alaska; and providing for an effective date.

(H.B. 161)

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

Section 1. The University of Alaska is authorized to establish a business, economics and public administration research program for the purpose of developing

and publishing statistics and other information regarding the economy, government and resources of the state.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 13, 1961

CHAPTER 81

AN ACT

Carrying over as an appropriation for the next fiscal year any unexpended balance existing at end of fiscal year ending June 30, 1961 in the line item for Special Counsel; Fish Traps.

(H.B. 165)

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

Section 1. Any unexpended balance in the line item for "Special Counsel; Fish