

made on condition that the land be classified as "Residential" under the division of lands classification system and that John

J. Corey reimburse the state for all costs in connection with the transfer but not to exceed \$10 per acre.

Became law without signature March 8, 1962

CHAPTER 21

AN ACT

Transferring between appropriations made to the Department of Public Works for the fiscal year ending June 30, 1962; and providing for an effective date.

(S.B. 236)

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

Section 1. The sum of \$1,000 is transferred from the line item appropriation for Commodities, Construction and Engineering Branch, Division of Aviation, Department of Public Works for the fiscal year ending June 30, 1962, to the line item for Contractual Services, Construction and Engineering Branch, Division of Aviation, Department of Public Works, for the fiscal year ending June 30, 1962.

Sec. 2. The sum of \$1,000 is transferred from the line item appropriation for Travel, Construction and Engineering Branch, Division of Aviation, Department of Public Works, for the fiscal year ending June 30, 1962, to the line item for Contractual Services, Construction and Engineering Branch, Division of Aviation, Department of Public Works, for the fiscal year ending June 30, 1962.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved March 12, 1962

CHAPTER 22

AN ACT

Providing for the designation of another officer to perform the authenticating functions of the secretary of state in his absence; and providing for an effective date.

(H.B. 358)

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

Section 1. The secretary of state may designate a head of a principal executive department, or more than one such officer in the alternative, who shall temporarily be custodian of the state seal and perform the authenticating functions of the secretary of state during such time as the secretary of state shall succeed to the office of governor, act as governor, be absent from

the state, or otherwise not be available at the state capital to perform the above authenticating functions. The designation shall be in writing, signed by the secretary of state, and filed in the office of the secretary of state. The designation shall be effective until revoked by a later designation executed and filed in the same manner.

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 March 13, 1962

CHAPTER 23

AN ACT

Relating to the penalty for putting or throwing rubbish, garbage, or material on Alaska

highways, highway rights-of-way, and public recreation facilities; reorganizing related subjects and making penalties uniform; repealing and re-enacting Secs. 65-5-107 and 65-5-108, ACLA 1949; and repealing Secs. 3, 4, 5, and 6, Art. VII, Title II, Ch. 152, SLA 1957.

(H.B. 286)

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

Section 1. Sec. 65-5-107, ACLA 1949, is repealed and re-enacted to read:

Sec. 65-5-107. Injury to Boundary Monuments, Light Posts, Protective Railings, State-erected Signs, or Historical Monuments. (a) No person may deface, remove, damage, or destroy

(1) a monument or marked tree designating the boundary of a town, tract, or parcel of land;

(2) a street light or light post;

(3) a railing or post on any public way designed to protect people from injury;

(4) a sign marking the limits of a game preserve; or

(5) a historical monument or plaque.

Sec. 2. Sec. 65-5-108, ACLA 1949, is repealed and re-enacted to read:

Sec. 65-5-108. Injury to Highways, Public Recreation Facilities, or Highway Signs. (a) "Highway" means all highways (whether included in primary or secondary systems), roads, road rights-of-way, streets, trails, walks, bridges, tunnels, drainage structures, and other similar or related structures or facilities, and further includes ferries and all such related facilities.

(b) No person may move, damage, destroy, or, intending to prevent free use of it by the public, obstruct a highway or a private way laid out by authority of law without first securing permission from the public authority having jurisdiction or control of the highway or private way. No person may, in any

case, build or place a barbed wire fence across any well-traveled trail which has been the usual and common route of travel for not less than one year without placing on the outside of the top tier of the barbed wire on the fence a board, pole, or other suitable protection, to be at least 16 feet in length.

(c) No person may put or throw any kind of garbage, rubbish, or material, or abandon animal viscera or other discarded objects on a highway, highway right-of-way, or public recreation facility.

(d) No person may remove, deface, damage, or destroy a distance marker, guidepost, or traffic control signal, sign, or marking on or near a highway or any public improvement or facility in a public recreation area.

(e) A person who wilfully violates Sec. 65-5-107, ACLA 1949, as amended, or a subsection of this section, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$500, or by imprisonment in jail for not more than one year, or by both.

(f) Any court entering a judgment of conviction and imposing a sentence for violation of (c) of this section may suspend the sentence and place the defendant on probation under the provisions of Sec. 66-16-31, ACLA 1949, as amended. The defendant may be required, as a condition of probation, to pick up garbage and rubbish from the nearest highway, highway right-of-way, or public recreation facility for not more than four hours a day on each of two days.

Sec. 3. Secs. 3, 4, 5, and 6, Art. VII, Title II, Ch. 152, SLA 1957, are repealed.

Approved March 15, 1962

CHAPTER 24

AN ACT

Appropriating to the Department of Public Safety for the reimbursement of Donald S.