

he may be lawfully interrogated, it shall be the duty of any District Court, or its successor, or the judge thereof, upon application of the Commissioner, or his authorized representative, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued by such court or a refusal to testify therein.

Sec. 10. Right of Collective Bargaining Protected. Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively through representatives of their own choosing in order to establish wages or conditions of work in excess of the applicable minimum under this Act, or to establish hours of work shorter than the applicable maximum under this Act.

Sec. 11. Statute of Limitations. Any action to enforce any cause of action for unpaid minimum wages, unpaid overtime compensation, or liquidated damages under this Act must be commenced

within two years after the cause of action accrued, and every such action shall be forever barred unless commenced within two years after it accrued.

Sec. 12. Determination of Commencement of Actions. In determining when an action is commenced for the purposes of Sec. 11, it shall be considered to be commenced on the date when the complaint is filed; in the case of a collective or class action instituted under Sec. 9 (c) of this Act, it shall be considered to be commenced as to any individual claimant on the date when the complaint is filed, if he is specifically named as a party plaintiff, or if his name does so appear, on the subsequent date on which his name is added as a party plaintiff.

Sec. 13. Repealer. Chapter 185, SLA 1955 is hereby repealed.

Sec. 14. Effective Date. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved May 4, 1959

CHAPTER 172

AN ACT

Relating to the assignment and collection of wage and other claims; amending subsection (e) of Sec. 43-2-11, ACLA 1949, as amended by Ch. 34, SLA 1949; and providing for an effective date.

(S.B. 118)

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

Section 1. Subsection (e) of Sec. 43-2-11, ACLA 1949, as amended by Ch. 34, SLA 1949, is hereby amended to read as follows:

(e) Assignment of Wage Claims to Labor Commissioner for Recovery.

(1) The Labor Commissioner shall have power and authority to take assignments of wage claims and incidental expense accounts and advances, mechanics and other liens of employees, claims based on "stop orders" for wages and on bonds for labor, claims for damages for misrepresentation of conditions of employment,

claims against employment agencies or their bondsmen, claims for unreturned bond money of employees, claims for penalties for nonpayment of wages, claims for the return of workmen's tools in the illegal possession of another person, and claims for vacation pay and severance pay. The Labor Commissioner shall not be bound by any rule requiring the consent of the spouse of a married claimant, the filing of a lien for record before it is assigned, or prohibiting the assignment of a claim for penalty before the claim has been incurred or any other technical rule with reference to the validity of assignments. The Labor Commissioner shall have power and authority to prosecute actions for the

collection of such claims of persons who, in the judgment of the Commissioner, are entitled to the services of the Commissioner, and who, in his judgment, have claims which are valid and enforceable in the courts. The Commissioner may also prosecute actions for the return of workmen's tools which are in the illegal possession of another person. The Commissioner is authorized to join several claimants in one lien to the extent allowed by the lien laws, and, in case of suit, to join them in one cause of action. (2) In all actions brought by the Labor Commissioner as assignee under subsection (1) of this subsection no bond or other security therefor shall be required from the said Commissioner in connection with the same.

(3) An officer, requested by the said Commissioner to serve summons, writs, complaints, orders, including any garnishment papers, and all necessary and legal papers, within his jurisdiction, shall do so without requiring the Commissioner to furnish any security or bond therefor. (4) Whenever the Commissioner shall request an officer whose duty it is to seize property or levy thereon in any attachment proceedings to satisfy any wage claim judgment, to perform any such duty, said officer shall do so without requiring the Commissioner to furnish any security or bond in such action;

and such officer, in carrying out the provisions of this paragraph, shall not be responsible in damages for any wrongful seizure made in good faith. But whenever anyone other than the defendant claims the right of possession or ownership to such seized property, then in such case the officer may permit such claimant to have the custody of such property, pending determination of the court as to who has right to possession or ownership of such property. (5) Any garnishee defendant, when required to appear in court in such action, shall do so without having paid to him witness fees in advance, but such witness fees shall be included as part of the taxable costs of such action and paid to him in due course. Out of any recovery on a judgment in such suit, there shall be paid, first, all court cost advances, which shall be returned to the Department of Labor's appropriation for such purposes; second, the wage claim involved. (6) When such court actions are lost by the Labor Commissioner, costs shall be paid by him out of money appropriated for that purpose. (7) The Commissioner shall not accept the assignment of a claim in excess of \$750.00.

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

Approved May 4, 1959

CHAPTER 173

AN ACT

To provide for the examining and licensing of operators of motor vehicles and to prohibit the operation of motor vehicles by any person or persons not so licensed upon the public highways of the state; providing for the cancellation, revocation and suspension of licenses under certain circumstances; providing penalties for violations of the provisions hereof; repealing Sec. 50-3-1, ACLA 1949, as amended by Ch. 152, SLA 1955, Sec. 50-3-2, Sec. 50-3-3, Sec. 50-3-4, Sec. 50-3-5, and Sec. 50-3-6, ACLA 1949, and Ch. 70, SLA 1953, as amended by Ch. 152, SLA 1957; and providing for an effective date.

(C.S.H.B.199)

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

Section 1. **Definitions.** The following words and phrases when used in this

Act, shall for the purpose of this Act, have the meaning respectfully ascribed to them in this section except in those instances where the context clearly indi-