

1 IN THE HOUSE

BY MR. STRINGER  
BY REQUEST

2 HOUSE BILL NO. 186

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An act relating to the supervision and  
7 licensing of Funeral Directors and  
8 Embalmers"

9 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

10 Section 1. Definition and Explanations; Funeral Director;  
11 Apprentices; Embalmer; Apprentices; Board.

12 The term "Funeral Director" as herein used, means and shall  
13 include any person engaged in or conducting or holding himself  
14 out as engaged in or conducting the business or profession of  
15 preparing dead human bodies for burial or disposal other than  
16 by embalming, directing or supervising burial or disposal of  
17 dead human bodies, providing or maintaining a place for the  
18 preparation or disposition or the care of dead human bodies or  
19 who shall in connection with his name or business use the words  
20 "Funeral Director" or "Undertaker" or "Mortician" or any other  
21 title indicating that he is engaged in the business or profession  
22 herein described.

23 The term "Funeral Director's Apprentice" as herein used,  
24 shall mean any person operating under or in connection with a  
25 funeral director for the purpose of learning the business or pro-  
26 fession of funeral director to the end that he may become  
27 licensed under the provisions of this Act.

28 The term "Embalmer" as herein used, is a person engaged or  
29 holding himself out as engaged in the practice of disinfecting

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1 or preserving from decay dead human bodies or preparing for the  
2 transportation by railroad, express company or common carrier  
3 human bodies dead of contagious or infectious disease.

4 The term "Enbalmer's Apprentice" as herein used, shall mean  
5 any person engaged in the study of the art of embalming under the  
6 instruction and supervision of a regularly licensed embalmer and  
7 practicing in the Territory of Alaska.

8 The word "Board" shall mean the Territorial Board of Fun-  
9 eral Directors and Embalmers.

10 Words used in this Act importing the masculine gender may  
11 be applied to the feminine.

12 Section 2. Application of Act. No provision of this Act  
13 shall apply to or in any way interfere with the duties of any  
14 officer of any public institution nor with the duties of any  
15 officer of a medical college, county medical society, anatomical  
16 association, college of embalming or any other recognized person  
17 carrying out the provisions of the sections of the statutes of  
18 the Territory of Alaska prescribing the conditions under which  
19 indigent dead human bodies are held subject for scientific or  
20 anatomical study nor with the customs or rights of any religious  
21 sect in the burial of their dead.

22 Section 3. Board of Funeral Directors and Embalmers: Crea-  
23 tion of Board; Number of Members; Selection and Terms; Qualif-  
24 ications: There hereby is created a territorial board to carry  
25 out the purposes and enforce the provisions of this Act to be  
26 known as the Territorial Board of Funeral Directors and Embalmers,  
27 consisting of four members. One member shall be appointed from  
28 each of the four judicial divisions of the Territory and two  
29 members shall be appointed at large by the Governor (with the

1 advise and consent of the Senate). The term of office of each  
2 of the members of the board shall be two (2) years and they  
3 shall hold office until the appointment and qualification of  
4 their successors. The term of the members of the board when  
5 this Act takes effect, shall expire as of the first day of July,  
6 1958. All members of the board shall have a minimum of five (5)  
7 consecutive years of experience immediately preceding their  
8 appointment in the preparation and disposition of dead human  
9 bodies or in the practice of embalming within the Territory of  
10 Alaska.

11 Section 4. Meetings of Board; Election of Officers; Duties  
12 and Compensation of Secretary; Seal of Board; Officers: The  
13 said board shall meet (annually) and at such other times as it  
14 may determine and shall elect from its members, each for a term  
15 of one (1) year, a president and a secretary. The secretary  
16 shall also act and serve as treasurer of said board. The offic-  
17 ers of the board shall be paid no compensation for serving on  
18 said board. The board shall have a common seal and shall have  
19 the power to administer oaths. The headquarters of said board  
20 shall be the office of the president of the Territorial Board of  
21 Health.

22 Section 5. Powers of Board; Adoption of Rules and Regu-  
23 lations; Time of Taking Effect; Inspection of Premises; Employ-  
24 ment of Inspectors, etc.; Investigation of Authority. The board  
25 shall have power to adopt and enforce reasonable rules and regu-  
26 lations relating to the practice of embalming, to the business  
27 of a funeral director, to the sanitary condition of places where  
28 such business or practice is conducted, with particular regard  
29 to plumbing, sewage, ventilation and equipment and generally to

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1 carry out the various provisions of this Act in the protection  
2 of the peace, health, safety, welfare and morals of the public,  
3 provided such rules and regulations shall not become effective  
4 until they have been filed in the office of the Territorial Board  
5 of Health at Juneau, Alaska, and when so filed such rules and  
6 regulations shall be in full force and have the effect of law.

7 The board shall have the power to inspect the premises in  
8 which the business of funeral director is conducted or where  
9 embalming is practiced and may employ the inspectors and attor-  
10 neys to aid in the enforcement of this Act and rules adopted  
11 pursuant thereto, whose compensation and expenses shall be pay-  
12 able only out of the fees collected hereunder. The board shall  
13 have power to hold hearings, conduct investigations, subpoena  
14 witnesses, administer oaths and take testimony in order to  
15 carry out the provisions of this Act.

16 Section 6. Publication of Statutes and Regulations. It  
17 shall be the duty of the board, at least once every two (2) years,  
18 to publish for distribution to funeral directors, embalmers and  
19 apprentices, and such other persons as may be interested therein,  
20 in pamphlet form the provisions of this Act, together with all  
21 rules and regulations prescribed, adopted or promulgated pursuant  
22 thereto.

23 Section 7. Expenses of Board: Compensation of Members.  
24 All expenses incident to the execution of the provisions of this  
25 Act shall be paid from the territorial treasury upon warrant  
26 drawn by the Territorial Auditor upon the presentation of the  
27 proper vouchers to be approved by the president and secretary of  
28 the board. Other than such necessary expenses as are incident  
29 to attending the meetings of said board, the members of the

1 Territorial Board of Funeral Directors and Embalmers shall serve  
2 without pay, except as otherwise herein provided.

3 Section 8. Bi-Annual Report to Governor: Statement of Pro-  
4 ceedings. Said board shall report to the Governor of the Terri-  
5 tory bi-annually a full statement of the receipts and disburse-  
6 ments of the board during the preceding two (2) years and a full  
7 statement of its doings and proceedings and such recommendations  
8 as may seem proper.

9 Section 9. Licensing and Registration: Licenses Generally:  
10 Executive: Display: Licenses under the Act shall be granted  
11 to individuals upon the qualification and the examination of the  
12 individual applicant and shall specify the name to whom it is  
13 issued.

14 Every license issued hereunder shall be signed by the pres-  
15 ident and the secretary of the Territorial Board and shall be  
16 displayed conspicuously in the place of business or employment  
17 of the licensee.

18 Section 10. Funeral Directors' Licenses: Necessity for  
19 Examination: Application for License: Persons licensible with-  
20 out examination. On and after the first day of May, 1953, it  
21 shall be unlawful for any person to engage in the business or  
22 profession of a funeral director unless licensed to do so by  
23 said Board. The Territorial Board of Funeral Directors and  
24 Embalmers in the Territory of Alaska hereby is granted authority  
25 to issue licenses to funeral directors

26 The business of a funeral director must be conducted at  
27 a fixed place or establishment.

28 Any person desiring to engage in the business or practice  
29 of a funeral director shall make application to the Territorial

1 Board and shall accompany said application by the fee herein-  
2 after provided, whereupon the Territorial Board shall fix the  
3 time and place for the examination of the applicant and shall  
4 notify the applicant thereof.

5 Any person who has been lawfully engaged in conducting the  
6 business or profession of a funeral director in this Territory  
7 at or from a fixed place of business located in this Territory  
8 for six(6) months prior to the first day of January, 1953, shall  
9 be entitled to a license as a funeral director for the year  
10 commencing the first day of January, 1953, upon application  
11 therefor made prior to the first day of January, 1953, and that  
12 payment of a license fee of \$10.00. All other persons shall  
13 first qualify for examination in accordance with the provisions  
14 of this Act and shall be licensed only after due examination by  
15 the Territorial Board and the payment of an examination fee of  
16 \$100.00 and a license fee of \$10.00. The examination fee shall  
17 be in addition to the license fee.

18 Section 11. Form and Contents of Application. An appli-  
19 cation for such a license shall be in writing and verified on  
20 a form provided by and addressed to said board and filed with  
21 the secretary of said board.

22 The application must specify the address at which the  
23 applicant proposes to engage in or conduct a place of business  
24 as a funeral director and must be accompanied by the affidavits  
25 of at least two (2) reputable residents of the division in which  
26 the applicant resides or proposes to engage in or conduct a  
27 funeral establishment to the effect that the applicant is of  
28 good character. Every applicant must be or have affiliated with  
29 him in his business a full time licensed embalmer.

1 Section 12. Qualifications for Examination. An applicant  
2 for a funeral director's license shall be entitled to an exam-  
3 ination provided:

- 4 1. The applicant is a citizen of the United States;
- 5 2. The applicant is at least 21 years of age;
- 6 3. The applicant has had practical experience in the  
7 business or profession of funeral directing for two (2) years  
8 as an apprentice.

9 Section 13. Scope of Examination. The applicant, shall,  
10 before the application is granted, successfully pass an exam-  
11 ination for the following subjects:

12 Funeral Directing, the signs of death, the manner in which  
13 death may be determined, the laws governing the preparation and  
14 disposal of dead human bodies, and the shipment of bodies lying  
15 from infectious or contagious diseases, and local health and  
16 sanitary ordinances in relation to funeral directing.

17 Section 14. Issuance of License; Investigation of Appli-  
18 cant's Character; Authority of Board. If the Territorial Board  
19 shall find, upon due examination, the applicant is of good moral  
20 character and is possessed of skill and knowledge of sanitary  
21 science and has sufficient knowledge, experience and training to  
22 properly conduct such business or profession in all of its  
23 phases, the Territorial Board may issue to said applicant, upon  
24 payment of the license fee, a license to operate as a funeral  
25 director.

26 The Territorial Board may cause an investigation to be  
27 made as to the character of the applicant and may require such  
28 showing as may reasonably prove the good character of the appli-  
29 cant, may subpoena witnesses, administer oaths and take testimony

1 with respect to the character of the applicant upon proper  
2 notice before such hearing.

3 Section 15. Assistant Funeral Director's License: License  
4 Fees: Qualifications of Applicants. The Territorial Board may  
5 license, with or without examination, one or more assistants of  
6 funeral directors who have been licensed under this Act upon  
7 payment of an assistant's license fee of \$20.00. The annual  
8 renewal fee for licenses for assistants shall be \$20.00 and  
9 shall be due and payable on or before the 1st day of January of  
10 each year. Before issuing a license to an assistant funeral  
11 director said board shall require satisfactory proof that said  
12 assistant is capable and trustworthy to act as such and of good  
13 moral character and said license may be revoked or said board  
14 may refuse to renew the same for any of the reasons herein stated,  
15 as applied to funeral directors. Such assistants shall be  
16 licensed and registered as assistants of designated licensed  
17 funeral directors only and shall not perform services for any  
18 funeral director other than the one with whom they are registered.  
19 On and after the 1st day of May, 1953, it shall be unlawful to  
20 practice as an assistant funeral director without first obtaining  
21 a license, as herein required.

22 Section 16. Embalmer's License: Necessities for License:  
23 Persons Licensible without Examination: It shall be unlawful  
24 for any person to follow, engage in or hold himself out as en-  
25 gaged in the practice as an embalmer unless licensed so to do by  
26 said Board. The "Territorial Board of Funeral Directors and  
27 Embalmers" of the Territory of Alaska is hereby granted authority  
28 to issue licenses to embalmers.

29 Any person lawfully licensed as an embalmer in the Territory

1 on the 1st day of December, 1953, shall be entitled to a  
2 license as an embalmer for the year commencing the 1st day of  
3 January, 1953, upon application therefor made prior to the  
4 1st day of January, 1953, and the payment of a license fee of  
5 \$10.00. All other persons shall first qualify for examination  
6 in accordance with the provisions of this Act and shall be  
7 licensed only after due examination by the Territorial Board  
8 and the payment of examination fee and license fee hereinafter  
9 specified.

10 Section 17. Examination of Applicants: Times and Places  
11 of Examination: Notice. Said board shall hold an examination  
12 at least once each year for the purpose of examining applicants  
13 for embalmers' licenses in the office of the secretary of said  
14 board or at such other times and places as the board may determine.  
15 Notice of the time and place of such meeting to be sent to the  
16 various applicants by mail at least ten (10) days before the  
17 meeting or examination.

18 Section 18. Qualifications for Examination: Scope of  
19 Examination: Rating Required to Pass: Application for Examination:  
20 Fee: Affidavits of Recommendation. In order to qualify for a  
21 license as an embalmer the applicant must be over twenty-one (21)  
22 years of age, of good character, must have first completed a two-  
23 year course of apprenticeship under an embalmer licensed and en-  
24 gaged in practice as an embalmer in the Territory of Alaska and  
25 must have completed a full course of instruction in an embalming  
26 school of the Class A type as rated by the Conference of Embalm-  
27 ers' Examining Boards of the United States, Inc. Such applicant  
28 shall be given credit upon his period of apprenticeship for such  
29 time as he may have spent in attending an embalming school of

1 the Class A type.

2 The Board shall examine such applicants for an embalmer's  
3 license in the following subjects:

4 Theory and practice of embalming, anatomy, pathology, bac-  
5 teriology, hygiene, including sanitation and public health,  
6 chemistry, including toxicology, restorative art, including  
7 plastic surgery and dental surgery and mortuary law and/or said  
8 board, in such examination, may use the questions prepared by  
9 the Conference of Embalmers' Examining Boards of the United  
10 States, Inc. Such applicants shall pass such practical examina-  
11 tions as the board shall provide by rules and regulation. The  
12 examination papers and oral questions shall, when concluded, be  
13 graded upon the scale of 100; the over all average rating  
14 required to pass shall be 75 percent in all subjects examined  
15 upon and the board having been satisfied that he has the requi-  
16 site qualifications to practice the occupation of embalmer a  
17 license shall be issued to him authorizing him to practice said  
18 occupation until the 1st day of January of that year.

19 To take said examination and to obtain an embalmer's lic-  
20 ense under this Act the applicant shall make application to the  
21 board and shall pay to the secretary an examination fee of  
22 \$100.00 and shall present himself at the next meeting of the  
23 board for the examination of applicants. The application must  
24 be in writing and verified on a form provided by and addressed  
25 to said board and must be accompanied by a said fee of \$100.00  
26 and by affidavits of at least two (2) reputable residents of the  
27 division in which the applicant resides or proposed to engage in  
28 the practice of an embalmer to the effect that the applicant is  
29 of good character.

1           Section 19. Licensing of Non-Residents: Requisites and  
2 Requirements: The board may recognize licenses issued to  
3 funeral directors or embalmers from other states and upon presen-  
4 tation of such licenses may upon the payment of \$25.00 to the  
5 secretary of said board, issue to the lawful holder thereof the  
6 funeral director's or embalmer's license herein provided for:  
7 Provided, however, that such recognition shall not extend to  
8 funeral directors or embalmers holding licenses from states of  
9 the United States unless reciprocal rights are granted to  
10 holders of funeral directors or embalmers licenses in the Terri-  
11 tory of Alaska. Such reciprocal licenses may be renewed  
12 annually upon payment of the renewal license fee, as herein pro-  
13 vided in the case of license holders residing in the Territory  
14 of Alaska and no person shall be entitled to such reciprocal  
15 license as a funeral director or embalmer unless he shall fur-  
16 nish proof that he has in the state or Territory of the United  
17 States in which he is regularly licensed complied with require-  
18 ments substantially equal to those set out in this Act.

19           Section 20. Renewal of Licenses: Fee for Renewal: Time  
20 for Renewal: Notice. Every licensed funeral director and every  
21 licensed embalmer shall pay annually a fee for the renewal of  
22 his license. The renewal fee payable by a licensed funeral direc-  
23 tor shall be \$10.00 and by a licensed embalmer \$10.00. All  
24 licenses granted under this Act shall expire on the 1st day of  
25 January following their issuance or renewal and shall become  
26 invalid unless renewed as herein provided. The board shall mail,  
27 on or before the 1st day of December of each year to each  
28 licensed funeral director and to each licensed embalmer, address-  
29 ed to him at his last known address, a notice that his renewal

1 fee in case and payable and that if such fee is not paid by the  
2 1st day of February, said license shall lapse.

3 Section 21. Reinstatement of Lapsed Licenses: Time for  
4 Application: Payment of Fees. When a licensee has for any  
5 reason allowed his license to lapse said Board is hereby given  
6 power of reinstatement in its discretion, provided application  
7 therefor is made within a period of three months from the lapse  
8 and is accompanied by all fees from the time of lapse to the  
9 date of reinstatement.

10 Section 22. Registration of Apprentices: Term of Appren-  
11 ticeship: Application for Registration: Application Fee:  
12 Issuance of Certificate: Renewal of Certificate: Fee for Re-  
13 newal: Reports of Apprentices: Granting of Leaves of Absence:  
14 Application for Leave: Report of Resumption of Duties: Effect  
15 of Failure to Report. The regular course of apprenticeship shall  
16 be two (2) years, provided that the apprentice shall be entitled  
17 to six (6) weeks vacation each year without leave of absence  
18 from the board.

19 The person desiring to engage as an apprentice shall make  
20 application for registration as a funeral director's apprentice  
21 or embalmer's apprentice to said board upon a form provided by  
22 the board, which application shall state that the applicant is  
23 over the age of 18 years, holds a high school certificate or  
24 possesses the equivalent of a high school certificate and is of  
25 good moral character. Said application must be verified by the  
26 oath of applicant and accompanied by a fee of \$20.00. The secre-  
27 tary of the board shall, whenever it appears to him that no  
28 reason exists for the denial of such application and that such  
29 application is regular on its face, have the power to issue to

1 the applicant a certificate of apprenticeship without submitting  
2 said application to the board. If, however, any doubt exists  
3 as to the qualifications of the applicant, said applications  
4 shall be submitted to the board and may be accepted or rejected  
5 by a majority vote of the board.

6 A certificate of apprenticeship issued, as herein provided,  
7 shall be signed by the apprentice, shall be renewable annually  
8 by the payment of the holder on the 1st day of January of each  
9 year of an annual renewal fee of \$20.00. Failure to pay said  
10 renewal fee during the month of December of any year shall cause  
11 said certificate to become delinquent in which case it shall be  
12 renewed only for good cause shown. The board shall mail on or  
13 before the 1st day of November of each year to each registered  
14 apprentice at his last known address, a notice that his renewal  
15 fee is due and payable and if not paid by the 1st of January  
16 said license will lapse.

17 All apprentices registered as provided herein shall be  
18 under the supervision and control of said board and shall be  
19 required to report to said board annually on January 1st upon  
20 forms provided by the board, showing the work in which such  
21 apprentices have performed during the annual period preceding  
22 the first of the month on which such report is made, including  
23 the number of hours served, the number of bodies the apprentice  
24 has assisted in embalming or otherwise preparing for disposition  
25 during said period. The information contained in said report  
26 shall be certified to as correct by the funeral director by whom  
27 said apprentice has been employed during said period.

28 Said board shall have power to grant leaves of absence  
29 and to grant extensions thereof to apprentices registered under

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1 the provisions of this Act, provided that no credit shall be  
2 given to an apprentice upon his apprenticeship for the period  
3 during which he is absent from duty on leave and provided further  
4 that no more than an aggregate of twelve months' leave of ab-  
5 sence shall be granted to any apprentice during the term of  
6 his apprenticeship. Application for leaves of absence and for  
7 extension thereof shall be made by the apprentice upon a form  
8 provided by and addressed to said board. Upon the termination  
9 of a leave of absence or any extension thereof the apprentice  
10 shall report to the board the fact that he has resumed his  
11 duties as an apprentice and certified to by the funeral director  
12 under whom he has assumed his duties or by the embalmer under  
13 whom he is apprenticed confirming this fact. Failure to so  
14 report within thirty (30) days after the expiration date of any  
15 leave of absence or extension thereof shall automatically  
16 cancel the registration of such apprentice.

17 Section 23. Disciplinary Proceedings: Denial of License  
18 Applications and Suspension or Revocation of Licenses: Grounds.  
19 The board shall also have the power to refuse to grant, to  
20 refuse to renew, to suspend or revoke a license after proper  
21 hearing and notice to the licensee upon such licensee being  
22 found guilty of any of the following acts or omissions:

- 23 1. Conviction of a crime involving moral turpitude;
- 24 2. Unprofessional conduct, which is herein defined to  
25 include (a) Misrepresentation or fraud in the conduct of the  
26 business or the profession of a funeral director or an embalmer;  
27 (b) False or misleading advertising as a funeral director or  
28 embalmer; (c) Solicitation of human bodies by the licensee, his  
29 agents, assistants or employees, whether such solicitation

1 occurs after death or while death is impending, provided this  
2 shall not be deemed to prohibit general advertising; (d) Em-  
3 ployment by the licensee of persons known as "cappers" or  
4 "stirrers" or "solicitors" or other such persons, to obtain  
5 funeral directing or embalming businesses; (e) Employment,  
6 directly or indirectly, of any apprentice, agent, assistant  
7 embalmer, employee or other person on part or fulltime or on  
8 commission for the purpose of calling upon individuals or  
9 institutions by whose influence dead human bodies may be turned  
10 over to a particular funeral director or embalmer; (f) The  
11 buying of business by the licensee, his agents, assistants or  
12 employees or the indirect or direct payment or offer of payment  
13 of a commission by the licensee, his agents, assistants or  
14 employees for the purpose of securing business; (g) Gross  
15 immorality; (h) Aiding or abetting an unlicensed person to  
16 practice funeral directing or embalming; (i) Using profane or  
17 indecent or obscene language in the presence of a dead human  
18 body or within the immediate hearing of the family or relatives  
19 of a deceased whose body has not yet been interred or otherwise  
20 disposed of; (j) Solicitation or acceptance by a licensee of  
21 any commission or bonus or rebate in consideration of recom-  
22 mending or causing a dead human body to be disposed of in any  
23 crematory, mausoleum or cemetery; (k) Using any basket or a  
24 part of a casket which has been previously used as a receptacle  
25 in connection with a dead human body; (l) Violation of any of  
26 the provisions of this Act; (m) Willful violation of any state  
27 law or municipal or county ordinance or regulation affecting the  
28 handling, custody, care, transportation of dead human bodies;  
29 (n) Fraud or misrepresentation in obtaining a license;

1 (o) Refusing to promptly surrender the custody of a dead human  
2 body upon the express order of the person lawfully entitled to  
3 the custody thereof.

4 Section 24. Suspension and Revocation of Certificates of  
5 Apprenticeship; Grounds; Application for Re-registration;  
6 Crediting for Time Served. The Board shall have the power to  
7 suspend or revoke a certificate of apprenticeship after notice  
8 and upon hearing where the said apprentice is guilty of any of  
9 the following acts or omissions:

10 1. Failure to devote an average of thirty hours per  
11 week to the duties of his apprenticeship;

12 2. Failure to make an annual report to the board, as  
13 required hereunder;

14 3. Absence from duty, except on vacation, for an  
15 aggregate of not more than ten days in any six months or twenty  
16 days in any year without leave of absence granted by the board;

17 4. Gross immorality;

18 5. Being on duty as apprentice while under the influ-  
19 ence of liquor;

20 6. Disobedience of proper orders or instructions of  
21 his superiors;

22 7. Willful violation of any of the provisions of this  
23 Act or any rule or regulation of the board made hereunder;

24 8. Soliciting business for funeral directors or for  
25 any other person;

26 9. Fraud or misrepresentation in obtaining a certifi-  
27 cate of registration as an apprentice.

28 An apprentice who has allowed his certificate of apprentice-  
29 ship to lapse or who has had a certificate of apprenticeship

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1 suspended or revoked may, after one (1) year of such suspension  
2 or revocation, make application for reregistration but not more  
3 than two such reregistrations shall be allowed by the board.  
4 The board, when the circumstances warrant, may allow an exemp-  
5 tion credit under a reregistration for time actually served  
6 under a previous registration provided that if a previous  
7 registration has been revoked or extended upon any of the grounds  
8 set forth in this section not more than 75 percent of the time  
9 previously served shall be credited on the reregistration.

10 Section 25. Offenses and Prosecutions: Violations of  
11 statutes: Grade of Offense: Punishment. Any person who  
12 shall engage in the profession of funeral directing or embalming  
13 without possession of a valid license hereunder shall be guilty  
14 of a misdemeanor and upon conviction thereof shall be sentenced  
15 to imprisonment not exceeding six (6) months or by a fine not  
16 exceeding \$500.00 or both.

17 Section 26. Courts having Jurisdiction: Initiation of  
18 Proceedings. A District Court for each of the divisions in the  
19 Territory of Alaska and United States Commissioners Courts  
20 sitting as justice courts shall have jurisdiction in all pro-  
21 ceedings arising under this Act. The United States Attorney is  
22 authorized to institute prosecutions for violations of this  
23 Act by information or by complaint verified before any magistrate.