

## CHAPTER 83.

## AN ACT

[H. B. 140]

Relating to the employment of teachers in the public school system in Alaska, providing penalties for the violation hereof and declaring an emergency.

*Be it enacted by the Legislature of the Territory of Alaska:*

Prohibiting school boards or members thereof from requiring teachers to state religious or political affiliation.

Section 1. After the passage and approval of this Act it shall be unlawful in the Territory of Alaska for any school board, or any member thereof, to require or compel any person applying for the position of teacher in the public schools of Alaska to state his or her religious or political affiliation.

Penalty.

Section 2. Any violation of this Act shall be punished by a fine of not to exceed One Hundred Dollars (\$100.00).

Emergency.

Section 3. An emergency is hereby declared to exist and this Act shall take effect after its passage and approval.

Approved March 14, 1935.

## CHAPTER 84.

## AN ACT

[S. B. 56]

To amend Section 2161, 2162 and 2172, Compiled Laws of Alaska 1933, relating to the payment of compensation to injured workmen, etc.

*Be it enacted by the Legislature of the Territory of Alaska:*

Compensation to injured employees.

Section 1. That subsection (4) of section 2161, Compiled Laws of Alaska, 1933, be, and the same is, hereby amended to read as follows:

“(4) In those cases where such deceased employee was unmarried at the time of his or her death survived by either his or her father or mother, such father or mother shall be paid the sum of One Thousand Eight Hundred Dollars (\$1,800.00); and in addition thereto, the employer shall be required to pay the funeral expenses, if any, arising after the injury and before the death, not to exceed One Hundred Ninety-Five Dollars (\$195.00) and in addition thereto shall pay the Territory the sum of Two Thousand Two Hundred Dollars (\$2,200.00), and such amount shall be credited to the current appropriation for allowance to aged residents.”

To dependent father or mother of single employee.

Funeral and other expense of single employee.

To the Territory of Alaska when employee single.

Section 2. That subsection (5) of section 2161, Compiled Laws of Alaska 1933, be, and the same is, hereby amended to read as follows:

“(5) Where such deceased employee was unmarried and was survived by his or her father and mother such father and mother shall be paid the sum of One Thousand Eight Hundred Dollars (\$1,800.00) each and in addition thereto the employer shall be required to pay the funeral expenses, not to exceed the sum of One Hundred Ninety-five Dollars (\$195.00) and such other expenses, if any, arising after the injury and before the death not to exceed One Hundred Ninety-five Dollars (\$195.00) and in addition thereto shall pay the Territory the sum of Four Hundred Dollars (\$400.00), and such amount shall be credited to the current appropriation for allowance to aged residents.”

To dependent father and mother.

Funeral and other expense of single employee.

To Territory of Alaska when employee single.

Section 3. That subsection (7) of section 2161, Compiled Laws of Alaska 1933, be, amended to read as follows:

“(7) Provided, however, that if such beneficiary or beneficiaries as described in subdivisions 1 to 6, inclusive, immediately preceding this subsection be neither resident nor a citizen of the United States of Am-

erica, then the amount due and payable to such beneficiary or beneficiaries shall be in amounts as follows:

“ (a) As to all beneficiaries, except a wife or minor children, fifty (50%) per centum of the sums set forth in subdivisions 1 to 6, immediately preceding, and fifty (50%) per centum shall be paid to the Territorial treasury, and such amount shall be credited to the current appropriation for allowance to aged residents.

Exception. “ (b) As to a wife or minor children, sixty (60%) per centum of the sums set forth in subdivisions 1 to 6 immediately preceding, and forty (40%) per centum to the Territorial treasury, and such amount shall be credited to the current appropriation for allowance to aged residents.”

Section 4. That the first paragraph of subsection (8) of section 2161, Compiled Laws of Alaska 1933, be and the same is hereby amended to read as follows:

Single employee without dependents. “ (8) In those cases where such deceased employee was, at the time of his or her death unmarried, and leaves no children nor father nor mother, the employer shall be required to pay the funeral expenses of the deceased not to exceed the sum of One Hundred Ninety-five (\$195.00) Dollars, and such other expenses, if any, arising after the injury and before the death, not to exceed the further sum of One Hundred Ninety-five Dollars (\$195.00), and in addition thereto shall pay to the Territory the sum of Four Thousand Dollars (\$4,000.00), to be covered into the Territorial Treasury and credited to the current appropriation for allowance to aged residents.

Funeral and other expense.

Balance to Territory of Alaska.

Section 5. That paragraphs (b), (c) and (e) of subsection (8) of section 2161, Compiled Laws of Alaska 1933, be and the same are hereby amended to read as follows:

“(b) If such employee at the time of his injury had no wife or children, but has a mother or father, Six Thousand Three Hundred Dollars (\$6,300.00).”

If unmarried.  
Father or  
mother  
dependent.

“(c) In case where such employee who at the time of his injury had both father and mother, Six Thousand Five Hundred Dollars (\$6,500.00).”

If unmarried  
Father and  
mother  
dependent.

“(e) In those cases where such employee so injured at the time of his injury was unmarried and had no children nor father nor mother, he shall receive the sum of Six Thousand (\$6,000.00).”

If unmarried  
no dependents.

Section 6. That section 2162, Compiled Laws of Alaska, 1933, be, and the same is hereby amended to read as follows:

Section 2162. Medical, surgical and hospital service; workman's contribution. In addition to the compensation for injured employees in this article otherwise provided, the employer shall furnish to and for each injured employee such reasonable necessary medical, surgical and hospital treatment as may be required by reason of the injury, for a period not exceeding one year from and after the date of injury to any such employee; and the employer in order to create a fund out of which the expenses of such treatment may be paid, may charge against and deduct from the wages of each employee as and when the same are paid, the sum of not to exceed two dollars and fifty cents per month; provided that not more than one half of the monthly rate may be deducted unless the employee be employed for more than fifteen days the money so deducted and withheld by the employer shall be kept by him in a separate fund and used only to cover the services and treatment in this section provided, and if the fund so created be insufficient, such deficiency as may reasonably arise shall be paid by the employer without any charge therefor against the injured employee or any other of the employees; and the employer shall have the exclusive right, and it shall be his duty to select

Employer to  
furnish medi-  
cal and hos-  
pital treatment,  
for period of  
one year.

Fund, how  
created.

Proviso.

Employer may enter into contract with physicians and hospitals.

Proviso.

and furnish the necessary physicians, surgeons and hospitals and to that end he may enter into all necessary contracts with such physicians, surgeons and hospitals for the furnishing of such services and treatments. Provided that if it be made to appear in any suit or action brought against the employer that the injuries sustained by the employee were aggravated on account of the incompetence, or neglect of the physician or surgeon selected by the employer, it shall be conclusively presumed that the employer failed to use due care in the selection of such physician or surgeon and in such case the employer and physician or surgeon shall be jointly and separately liable for all damages resulting from such incompetence or neglect. Nothing contained in this section shall be construed to limit the right of the employee, to provide in any case, at his own expense, a consulting physician or any attending physician whom he may desire. The fund hereby created by deductions herein allowed to be made by the employer from the wages of employees shall be and the same is hereby made a trust fund which can be used only for the purposes herein set out. Whenever any employer shall cease his business or operations and go out of the business in which such employer has been theretofore engaged, any part of the fund created by this section and remaining in the possession of such employer shall, by the employer, be paid to the Territorial treasurer, and by him covered into general Territorial funds. (2-25-29)."

Section 7. That subsection (g) of section 2172, be, and the same is hereby amended to read as follows:

Written statement furnished by employee with reference to beneficiary.

"(g) Upon the trial of any issue relating to a Beneficiary's right to compensation under this Act, any written statement furnished an employer, as hereinabove provided, may be offered in evidence by such employer, and when so offered shall be received in

evidence and shall be prima facie evidence that there are no other beneficiaries."

"(i) If any section or portion thereof, of this Act shall be declared unconstitutional for any reason, the remainder of the Act shall not be affected thereby." Saving clause.

Approved March 14, 1935.

## CHAPTER 85.

### AN ACT

[S. B. 35]

Giving the Territorial Board of Administration of the Territory of Alaska the authority to enter into a contract, or contracts, with the Secretary of the Interior of the United States for the education of, and welfare work among, the Indians and Eskimos of Alaska.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. That the Territorial Board of Administration of the Territory of Alaska is hereby authorized and empowered to enter into a contract, or contracts with the Secretary of the Interior of the United States for the education, medical activities, agricultural assistance and social welfare, including relief of distress, of Indians and Eskimos in Alaska, and to expend under such contract, or contracts, moneys appropriated by Congress for the said education, medical activities, agricultural assistance and social welfare, including relief of distress, of Indians and Eskimos in Alaska, in accordance with the provisions of the Act of Congress approved April 16, 1934.

Territory authorized to enter into contract and secure benefits for Indians and Eskimos in accord with Congressional Act April 16, 1934.

Section 2. This Act shall be effective and in full force immediately upon its passage and approval. Effective date.

Approved March 14, 1935.