

agency or agencies in charge.

(e) To study the need for new Territorial and Federal laws and changes in existing laws which the Board believes will foster the development of the Territory, and to call the need to the attention of the Legislature.

(f) To accept donations from public agencies, civic groups, trade associations, corporations and individuals, toward any class of work conducted by the Board.

Report to
Legislature.

(g) To submit a report of its activities to the Legislature at the end of each biennium.

Appropriation.

Section 4. There is hereby appropriated and made available, out of monies in the Treasury not otherwise appropriated, the sum of One Hundred and Twenty Thousand (\$120,000.00) Dollars, or so much thereof as may be necessary, to carry out the provisions and accomplish the purposes of this Act.

Emergency.

Section 5. An emergency is hereby declared to exist and this Act shall be effective immediately upon its passage and approval.

Approved March 21, 1945.

CHAPTER 26

AN ACT

[S. H. B. 52]

To provide for the organization of a Department of Health, defining and prescribing its powers and duties, repealing acts and parts of acts in conflict herewith, and declaring an emergency.

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

Section 1. Definitions. As used in this Act:

(a) "Health Department" means the Department of Health created by this Act; Definitions.

(b) "Board" means the Board of Health of Alaska, created by this Act;

(c) "Commissioner" means the Commissioner of Health.

Section 2. Department of Health. There is hereby created a Department of Health, charged with the duty of administering laws and regulations relating to the promotion and protection of the public health, control of communicable diseases, programs for the improvement of maternal and child health, care of crippled children, hospitalization of the tuberculous, and such other duties as may be conferred upon it by law. Department created.

Section 3. There is hereby created within the Department of Health a Board of Health which shall consist of the Governor and four members, one from each Judicial Division of the Territory of Alaska appointed by the Governor, one of whom shall be a member of the Alaska Territorial Medical Association at the time of his appointment. The term of office of each member of the Board shall be four years; two shall be appointed to serve until the next regular session of this Legislature and two until the next succeeding session of this Legislature, or until their successors are appointed and qualified. All appointments by the Governor shall be subject to the approval of a majority of all members of the Senate and House of Representatives of the Legislature in joint session assembled, and the names of the appointees shall be submitted to the Legislature for consideration within fifteen days after the opening of the biennial session of the Legislature, provided that when an appointment is made at a time when the Legislature is not in session, such appointment shall be submitted to the Legislature for approval within fifteen days after the opening of the Board of Health created within department.

first session after such appointment is made and such appointee may discharge the functions of his office until the Legislature either approves or fails to approve such appointment. If any appointment shall be disapproved another shall be submitted within five days after such disapproval. Any appointee whose name has been submitted who has failed of such approval shall not be eligible to hold office as a member of the Board under any appointment thereafter for a period of two years. Vacancies in the Board shall be filled by appointment by the Governor. It shall be the duty of the Governor to appoint for confirmation the first members of the Board immediately upon the approval of this Act.

No one shall be appointed as a member of the Board unless he is a citizen of the United States and a resident of Alaska.

Expenses of
Board.

Section 4. Each member of the Board shall receive his actual traveling and subsistence expense while attending a meeting of the Board and in addition thereto the sum of Ten Dollars (\$10.00) per day for each and every day such member is actually and necessarily absent from his place of residence due to attendance at Board meetings; but no member shall in any event receive more than One Thousand Dollars (\$1,000) salary in addition to expenses in any one calendar year.

Commissioner of
Health—duties,
salary, term of
office.

Section 5. Commissioner of Health, Duties and Powers. The Board of Health shall appoint a Commissioner of Health who shall be the chief executive of the Health Department. The Board shall classify, provide minimum qualifications and establish the rate of compensation for the position, the salary not to exceed \$10,000 per annum. The Commissioner of Health shall devote full time to the duties of his office, his term shall expire March 1, 1949 provided he may be removed by said Board for cause and after hearing. The Commissioner shall be a reputable physician eligible for license under the Medical Practice

Laws of Alaska, and if feasible shall have had training and experience in full-time public health administration. The Commissioner shall be the Executive Officer of the Department and shall perform all executive duties required by the Board. He shall administer the laws, rules and regulations relating to health and sanitation. He shall prepare sanitary and public health regulations for consideration by the Board and shall submit to said Board recommendations for new rules, regulations and legislation. He shall perform such other duties as may be prescribed by law, and shall prepare and present a biennial report of the activities of the Department to the Legislature, not later than ten days after the convening thereof. He shall have power to authorize any officer or employee of the Department to act in his stead. He may sit at the meetings of the Board but shall have no vote. He may act as Secretary of the Board. The Commissioner shall provide such methods of administration relating to the establishment and maintenance of personnel standards on a merit basis as are found to be necessary for the proper and efficient operation of the Department.

Section 6. Duties and Powers of the Board:

(a) The Board shall advise the Commissioner in the performance of his duties, and formulate general policies affecting the public health, but shall have no administrative or executive functions other than those set forth in this Act. It may hold hearings and subpoena witnesses and documents and any member shall have power to administer oaths in connection with duties of the Board. The Board shall also cooperate with the Federal Government in matters of mutual concern pertaining to public health, the control of communicable diseases, maternal and child health and crippled children, and such other matters as may come within the purview of this Act; to make such reports, in such form and containing such information, as the Federal Government may from time to time require; to cooperate with the Federal

Duties and powers of Board.

Cooperate with Federal Government.

Government, its agencies or instrumentalities in establishing, extending and strengthening services for the protection of the public health, and to receive and expend all funds and receive, utilize and maintain any equipment and facilities made available to the Department by any department or agency of the Federal Government, the government of Alaska or its political subdivisions and any person or non-official agency to carry out the purposes of this Act.

Board empowered to promulgate rules and regulations.

(b) The Board is empowered, directed and authorized to adopt, promulgate, repeal and amend rules and regulations not inconsistent with existing law, relating to and provide for: (a) the definition and control of communicable diseases; (b) the prevention and control of public health nuisances; (c) regulation of sanitation and sanitary practices in the interest of public health; (d) cooperation with local boards of health and health officers; (e) protection and promotion of the public health and prevention of disability and mortality; (f) isolation of any person affected with and prevention of the spread of any contagious or infectious disease; (g) the transportation of dead bodies; (h) establishment and maintenance of quarantine; and (i) to do whatever else may be deemed necessary to carry out the purposes of this Act. It shall also adopt rules and regulations necessary for the conduct of its business and for carrying out the provisions of all laws of the United States and Alaska relating to public health; to establish minimum standards for personnel employed by the Health Department and make necessary rules and regulations to maintain such standards; to require such bonds and undertakings from persons employed by it as shall in its judgment be necessary and pay the premiums thereon; to establish such divisions and local offices and such advisory groups as may be necessary or deemed expedient to carry out or assist in carrying out any duty or authority assigned to it.

Section 7. Meetings of the Board. The Board shall hold regular meetings at least once annually at such times and places as it deems wise, and such special meetings as may be called by the chairman upon the request of two members. Meetings where
—when held.

Section 8. All provisions of law in conflict herewith are hereby repealed. Repeal.

Section 9. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval. Emergency.

Approved March 21, 1945.

CHAPTER 27

AN ACT

[S. B. 47]

To amend the first paragraph of the 20th subdivision of Section 2383, Compiled Laws of Alaska, 1933, by granting further powers to municipalities.

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

Section 1. That the last sentence of the first paragraph of the 20th subdivision of Section 2383, C. L. A. 1933, be and the same is hereby amended to read as follows:

Provided further that the common council, in order to make available sites for the installation and operation thereon of new industries which will benefit the civic welfare of the municipality, may likewise acquire, own and hold such sites, including real property, either within or without the corporate limits and may sell, lease or dis-

Common Council
given authority
to acquire
property and
provide for
disposal of same.