

ed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of One Hundred Dollars (\$100.00) for the first offense, and Two Hundred Fifty Dollars (\$250.00) for the second or other offense, or be imprisoned for a period of six months for the first offense or both such fine and imprisonment, in the direction of the Court.

Appropriation.

Section 5. There is hereby appropriated, out of monies in the Territorial Treasury not otherwise appropriated, the sum of Fifteen Thousand Dollars (\$15,000), or so much thereof as may be necessary to carry out the provisions of this Act during the biennium 1949-1951.

Emergency clause.

Section 6. An emergency is hereby declared to exist and this Act shall become effective upon its passage and approval.

Passed by the House, March 2, 1949.

Passed by the Senate, March 6, 1949.

Transmitted to the Governor, March 18, 1949.

Effective date, March 23, 1949.

CHAPTER 66

AN ACT

[C. S. H. B. 7].

Pertaining to Fisheries; to provide for the licensing of fishermen in the Territory of Alaska; requiring license fees; defining violations and prescribing penalties; repealing Sections 39-4-1 to 39-4-16, inclusive except 39-4-11, Alaska Compiled Laws Annotated, 1949; and declaring an emergency.

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

Section 1. For the purposes of this Act, "fisherman" shall mean any person who fishes commercially for, takes or attempts to take salmon, halibut, bottom fish, crabs, clams, or other fishery resources of Alaska, and shall include every individual aboard boats operated for fishing purposes who participates directly or indirectly in the taking of the raw fishery products above mentioned whether such participation be on shares or as an employee or otherwise. The term "fisherman" shall also include trap watchmen or others engaged in operating fish traps as well as the crews of tenders or other floating equipment used in handling of fish.

Definition of fisherman.

Section 2. No person shall become engaged as a fisherman as above defined without first obtaining a license so to do. License fees levied upon fishermen are as follows: Resident fisherman, \$5.00; non-resident fisherman, \$50.00. Such licenses shall run for one calendar year, and expire on December 31st of each year. For the purposes of this Act, a resident shall be any citizen who has resided in the Territory for 12 months immediately preceding application for such license and shall have been a bona fide inhabitant of Alaska for at least six months during each calendar year thereafter, and who maintains his place of abode in Alaska. A non-resident is a citizen who has not resided in Alaska for the 12 months immediately preceding application for license or who maintains his principal business or place of abode outside of the Territory. Any person not a citizen of the United States is deemed to be an alien unless he possesses a valid declaration of intention to become such citizen.

Amount of license resident, non-resident.

Non-resident defined.

Section 3. Licenses to fish shall be issued by the Tax Commissioner pursuant to written applications containing such information as may be required by the Tax Com-

missioner, and such licenses may also be issued by his deputies. Such applications shall be simple in form and be executed by applicants or their respective agents under the penalties of perjury; Provided, however, that representations respecting citizenship shall not apply to one who is a native descendant of one of the aboriginal tribes of Alaska, and who in the application describes himself as such. The Tax Commissioner's regular deputies shall each be supplied with a metal badge with the words "Territorial Tax Collector" engraved thereon and which badge they shall wear plainly exposed when on duty.

Licenses issued
by Tax
Commissioner.

Section 4. The Tax Commissioner is hereby authorized to appoint United States Commissioners, cannery or cold storage agents, fish buyers or other persons as his agents to take applications, issue the licenses and collect license fees hereunder, and with respect to such persons not employed on salary by the Tax Department, the Tax Commissioner is hereby authorized to establish reasonable and uniform rates of compensation for such services on a commission basis for issuance of each resident and non-resident license. The United States Commissioners and other agents shall monthly transmit to the Tax Commissioner all fees collected by them, less their authorized commissions, together with a full account of same. The Tax Commissioner shall not be liable for defalcation or failure to account for the fees so collected by any such agent, but shall require a bond in such sum as he may deem adequate, conditioned upon faithfully accounting for all moneys collected hereunder.

Tax Commission-
er may appoint
agents.

Default by agent.

Section 5. It shall be unlawful for any person, association or corporation, or for the agent of any person, or for the officer or agent of any association or corporation, to have in his, their or its employ any fisherman who is not duly licensed under this Act or to purchase fish from any fisherman who is not so licensed. Each buyer of the fish shall keep a record of each purchase showing name of

boat from which the catch involved is taken, amount purchased, and the names of all persons attached to the boat who participated in the trip on which the fish or shellfish were taken. Such records may be kept on forms provided by the Tax Commissioner, but must be kept in any event, and each person charged with keeping such records must report same to the Tax Commissioner in accordance with rules and regulations promulgated by him. Anyone violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, punishable under the penalty clause of this Act.

Unlawful to purchase from unlicensed person.

Records required.

Section 6. (a) The Tax Commissioner's deputies shall have full power to enforce this Act. Likewise the agents of the Fish and Wildlife Service, Department of the Interior, are hereby fully authorized to enforce this Act. (b) Licenses shall be subject to inspection, and shall, upon request by any officer authorized to enforce this Act, be exhibited to him. Failure to procure or exhibit such license as indicated above or otherwise comply with this Act shall be a misdemeanor, and upon conviction thereof the offender shall be subject to a fine not exceeding \$500.00 or imprisonment not to exceed six months, or to both such fine and imprisonment.

Deputies.

Penalty for failure to procure license.

Section 7. This Act shall not apply to fishing for personal consumption but shall apply only to fishing for commercial purposes; Provided, however, that with respect to rivers of Alaska wherein commercial fishing is prohibited, fishing by Indians, Eskimos or Aleuts for the purpose of drying fish for sale as dog food, shall not be considered commercial fishing.

Exemption.

Section 8. Sections 39-4-1 to 39-4-16, inclusive except 39-4-11, Alaska Compiled Laws Annotated 1949, are hereby repealed.

Section 9. If any provisions of this Act, or the application thereof to any person or circumstance is held

Savings clause.

invalid, the remainder of the Act and such application to other persons or circumstances shall not be affected thereby.

Emergency
clause.

Section 10. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval.

Approved March 21, 1949.

CHAPTER 67

AN ACT

[H. B. 36]

To require that certain persons hired for work in Alaska shall, upon termination of employment, be transported by the employer to the place of recruitment; and declaring an emergency.

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

Policy.

POLICY: The welfare of the Territory of Alaska demands that adequate provision be made for financing the return transportation of certain persons to their place of recruitment within and without Alaska upon termination of employment.

Return
transportation.

Section 1. Any employer who furnishes, finances, or agrees to furnish or finance, or who in any way provides transportation for any person from the place of hire to any point within the Territory of Alaska for the purpose of employing him therein shall, on or after the termination of employment for any good and sufficient cause in the opinion of the Commissioner of Labor, beyond the control of such person, or on or after the termination of the contract of employment, or any renewal thereof, provide such person upon his request, or the request of the Commissioner of Labor, made within 10 days after