

Section 1. That Section 6 of Chapter 66, Session Laws of Alaska, 1949, is hereby amended to read as follows:

Authority  
to arrest.

Section 6. (a) For the purpose of enforcing this Act, the Tax Commissioner's deputies are hereby made peace officers with authority to make arrests (with or without warrants) for a violation of any of the provisions of 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.

Inspection  
of license.

Penalty.

Emergency  
clause.

Section 2. An emergency is hereby declared to exist, and this Act shall take effect immediately upon its passage and approval.

Approved March 7, 1951.

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## CHAPTER 7

### AN ACT

[H. B. 17]

Amending Sec. 16-1-22 ACLA 1949 pertaining to annexation petitions, hearing and order for election; persons presumed owners of property; amending Sec. 16-1-24 ACLA 1949 pertaining to declaration of annexation.

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

Section 1. That Sec. 16-1-22 ACLA 1949 is hereby amended to read as follows:

Sec. 16-1-22. Petition, hearing and order for election; Persons presumed owners of property. Whenever the council of any city shall desire to enlarge the limits of said city by annexing the territory contiguous thereto, they shall file in the district court for the judicial division wherein the city is located, a petition signed by thirty per cent of the owners of substantial property interests in land or possessory rights in land, tidelands or improvements upon land or tideland within the limits of the territory so proposed to be annexed, setting forth by metes and bounds the territory sought to be annexed to such city, and there shall be attached thereto a plat based upon an actual survey by a competent surveyor setting forth the limits and boundaries of the territory to be annexed by metes and bounds and stating the number of inhabitants therein, as well as the number of owners of property therein situate and such other facts as the court may require. Said petition shall be sworn to on behalf of the city and by at least one of the property owners herein provided for. Said petition may be presented in open court or to the judge of said court in chambers and said judge shall fix a time and place of hearing on the petition and shall cause notice of said hearing to be posted in at least three of the most public places in such city and in three places within the territory sought to be annexed, and if a newspaper be published in said city, then to publish such notice at least three times in such paper. Such notices shall be posted at least four weeks before the hearing

Petition  
filed with  
District Court.

Percentage  
required.

Description  
of area.

Hearing  
before  
Court.

Publication  
of notices.

and the first publication of such notice in the newspaper shall be at least four weeks before the hearing. The court shall make diligent inquiry as to the reasonableness and justice of the petition and if the court be satisfied from proofs and evidence that no private rights will be injured by granting the petition and if it is just and reasonable that the annexation take place, the court shall, unless it be shown that the petition is not bona fide or that one or more of the signers thereto are not owners of substantial property rights as herein provided or fails to comply with the requirements of this act in any other respect, order an election.

Presumption  
of owners.

Those owners of land within the limits of the territory sought to be annexed who have filed a statement of their ownership in the United States General Land Office for the District in which the land is situate, in compliance with Chapter 49 of the Session Laws of Alaska, 1945 (Sec. 22-2-1—22-2-18 herein), shall be presumed to be the owners of substantial property interests in land or possessory rights in land, tidelands or improvements upon land or tidelands within the limits of the territory proposed and sought to be annexed in the absence of a clear showing to the contrary.

Section 2. That Sec. 16-1-24 ACLA 1949 is hereby amended to read as follows:

Percentage  
of votes  
required  
for annexation.

Sec. 16-1-24. Declaration of annexation. If it shall appear to the district court or the judge thereof from the certificate of election filed with the district court as aforesaid, that fifty-five per cent of the votes cast at said election in the territory sought to be annexed were in

favor of annexation and that a majority of the votes cast in the city were also in favor of the annexation, and that the provisions of law relating to annexation have been substantially complied with, then the district judge shall by an order in writing entered in the records of the court duly adjudge and declare such annexation and the said territory shall, from thenceforth, be a part of the city. Such order shall describe the boundaries of the territory annexed and give the name of the city to which it is annexed.

Approved March 9, 1951.

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## CHAPTER 8

### AN ACT

[H. B. 94]

Amending Section 16-1-34, ACLA 1949, as amended by Chapter 36 SLA 1949, pertaining to annual election of council members; Term of office; repealing Sec. 16-1-53 ACLA 1949.

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

Section 1. That Section 16-1-34, ACLA 1949, as amended by Chapter 36 SLA 1949 is hereby amended to read as follows:

Section 16-1-34. Annual election of council members: Term of Office. An annual election shall be held each and every year on the first Tuesday of October in every city in the Territory for the election of members of the council,

Time for  
election.

