

Section 4. There is hereby appropriated, out of moneys in the Territorial Treasury not otherwise appropriated, <sup>Appropriation.</sup> the amount of Ten Thousand Dollars to carry out the provisions of this Act.

Section 5. This Act shall take effect July 1, 1951.

Approved March 23, 1951.

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## CHAPTER 93

### AN ACT

[H. B. 75]

To provide for the licensing of sport fishing in the Territory of Alaska; to require license fees; to define violations and to prescribe penalties; to provide for exemptions; to provide for an effective date.

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

Section 1. DEFINITIONS. For the purpose of this <sup>Definitions.</sup> Act:

(a) "Sports Fishing" shall be construed to mean taking or fishing for any fresh water, marine or anadromous <sup>Sports fishing.</sup> fish by angling or by other legal means and legal gear for personal use, and not for sale or barter.

(b) "Resident" shall be construed to mean a person <sup>Resident.</sup> who has resided in the Territory for 12 months immediately preceding application for such license and after having established residence, retains it by continued residence in the Territory or preserves it by not establishing residence elsewhere.

Non-  
resident.

(c) "Non-resident" shall be construed to mean a person who has not resided in Alaska for the 12 months immediately preceding application for license or who establishes his residence outside of the Territory.

#### Section 2. EXPIRATION DATE FOR LICENSES.

Termination  
date of  
license.

All licenses required under the provisions of this Act shall expire at the close of the 30th day of June following their issuance, and shall be renewed annually thereafter upon application and payment of license fees required by this Act.

#### Section 3. ISSUANCE OF LICENSES.

Tax  
Commissioner  
to issue.

Licenses herein required shall be issued to any qualified person under this Act by the Tax Commissioner or his deputies upon the receipt of a lawful application therefore, upon a blank to be furnished for that purpose, accompanied by the required fee. Such applications shall be executed by the applicant under the penalties of perjury.

#### Section 4. TAX COMMISSIONER MAY APPOINT DEPUTIES.

Deputies.

The Tax Commissioner may deputize any employee of the Alaska Department of Fisheries or the U. S. Fish and Wildlife Service, any U. S. Commissioner, any postmaster, or any reputable citizen to issue such licenses and collect the fees thereof. All persons so deputized by the Tax Commissioner shall transmit quarterly to the Tax Commissioner all fees collected by them and make and furnish all reports required by the Tax Commissioner. The Tax Commissioner shall not be liable for defalcation or failure to account for the fees so collected by any such deputy, but shall require a bond in such

sum as he may deem adequate, conditioned upon faithful accounting for all moneys collected hereunder. <sup>Bond.</sup>

Any person, except salaried employees of the Territory of Alaska, and employees of the Fish and Wildlife Service, deputized by the Tax Commissioner to issue territorial fishing licenses, as authorized by this Act, shall charge the sum of twenty-five cents (25c) for each license in addition to collecting the fee prescribed by law, for issuing each such license, which sum shall be retained by him for his services. <sup>Fee for issuing licenses.</sup>

### Section 5. LICENSES.

It shall be unlawful for any person over 16 years of age to take or fish for any fresh water, marine or anadromous fish for sports without first having procured one of the following licenses: <sup>Age requirement.</sup>

#### 1. Resident Sport Fishing License.

The fee for a resident sport fishing license shall be one dollar (\$1.00). <sup>Resident fee.</sup>

#### 2. Non-Resident Sport Fishing License.

The fee for a non-resident sport fishing license shall be three dollars (\$3.00). <sup>Non-resident fee.</sup>

#### 3. Alien Sport Fishing License.

The fee for an alien sport fishing license shall be three dollars (\$3.00). <sup>Alien fee.</sup>

4. It shall be a misdemeanor for any person to sell or buy any fish taken under any license issued hereunder. <sup>Misdemeanor for sale of fish.</sup>

All licenses shall be in the form of a stamp, which shall be non-transferable and shall be signed by the

licensee and carried on his or her person while fishing in Territorial waters.

#### Section 6. ENFORCEMENT AND PENALTY.

Who may  
enforce.

(a) The Tax Commissioner's deputies shall have full power to enforce this Act. Likewise the inspectors of the Alaska Department of Fisheries and the agents of the U. S. Fish and Wildlife Service are hereby fully authorized to enforce this Act.

Inspection.

(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 \$100.00 or imprisonment not to exceed six months, or both such fine and imprisonment.

Penalties.

#### Section 7. LICENSE FORFEITURE.

Forfeiture.

Upon conviction of any person of a violation of any provision of this Act or of any Federal law or regulation for the protection of the fish of Alaska, the judge or commissioner may, in addition to the penalty imposed by law, forfeit the license of such person. Upon subsequent conviction of any such person of any violation of any provisions of this Act or of any federal law or regulation for the protection of the fish of Alaska, the forfeiture of such license shall be mandatory. The Tax Commissioner may prohibit the issuance of a license to any person convicted two or more times of any such willful violation.

Additional  
penalties.

#### Section 8. EXEMPTION.

Exemption.

All resident Indians, Eskimos and Aleuts shall be exempt from all provisions of this Act.

### Section 9. SAVING CLAUSE.

If any provisions of this Act, or the application thereof to any person or circumstances is held invalid, the remainder of the Act and such application to persons or circumstances shall not be affected thereby.

### Section 10. EFFECTIVE DATE.

This Act shall take effect July 1, 1951.

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## CHAPTER 94

### AN ACT

[H. J. C. S. S. B. 24]

Amending Section 35-5-2, ACLA 1949; making the Tax Commissioner Inspector of Weights and Measures and declaring an emergency.

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

Section 1. That Section 35-5-2, ACLA 1949, is hereby amended to read as follows:

Section 35-5-2. TAX COMMISSIONER, EX-OFFICIO INSPECTOR OF WEIGHTS AND MEASURES. The Tax Commissioner shall be ex-officio inspector of weights and measures and of weighing and measuring appliances. It shall be his duty to procure and keep such standard sets of weights and measures as may be found necessary to carry out the provisions of this Act; he shall test or cause to be tested, by such standards, all weights, measures, weigh-

Weights and  
measures  
inspection.