

Compensation  
of Judges and  
Clerks.

of instructions, but in no event shall a Clerk or Judge receive compensation of less than fifteen dollars.

Section 3. Section 38-4-8 ACLA 1949 is amended to read as follows:

Elector to enter  
voting informa-  
tion in own  
handwriting;  
exception.

Sec. 38-4-8. CONDUCT OF VOTING: CHALLENGES. Every elector who offers to vote shall write in the registration or poll book in his own handwriting, unless prevented by physical disability, in which case he shall give to the judges of election orally, his name, place of residence and party preference; one of the judges shall then in an audible tone of voice announce the same, whereupon a challenge may be interposed in the manner provided by law. If no challenge be interposed or if the challenge oath be taken, one of the judges of election shall give him a ballot, at the same time calling to the other judges of election the number of the ballot.

Method of  
depositing ballot.

It shall be the duty of the clerks of election to transcribe the name of the voter and his party preference in the duplicate registers. The voter shall mark and fold the ballot and hand it to one of the judges of election, who shall receive it and deposit it in the proper ballot box, in the presence of the voter.

Statutes repealed. Section 4. Sections 38-3-1, 38-3-2, 38-3-3, 38-3-4, 38-3-5, and 38-3-6 ACLA 1949, are repealed.

Approved March 9, 1953.

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## CHAPTER 18

### AN ACT

[H. B. 8]

Relating to and providing for the elimination of certain practices.

of discrimination because of race, color, religion or national origin; providing penalties.

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

Section 1. The Department of Labor hereby is empowered to eliminate and prevent discrimination in employment because of race, religion, color or national origin by employers, employees, labor organizations, employment agencies or other persons and to take other actions against discrimination because of race, religion, color or national origin as herein provided, and the Department of Labor hereby is given general jurisdiction and power for such purposes, as hereinafter provided.

Employment  
discrimination  
prohibited.

Jurisdiction.

Section 2. The opportunity to obtain employment without discrimination because of race, religion, color or national origin is hereby recognized and declared to be a civil right.

Civil right  
declared.

Section 3. When used in this act:

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy or receivers.

"Person."

2. The term "employment agency" includes any person undertaking to procure employees or opportunities to work.

"Employment  
agency."

3. The term "labor organization" includes any organization which exists or may hereafter exist and which is constituted for the purpose, in whole or in part, of collective bargaining or in dealing with employers concerning grievances, terms or conditions of employment or of other mutual aid or protection in connection with employees.

"Labor  
organization."

4. The term "unlawful employment practice" includes only those unlawful employment practices hereafter specified and defined in this act.

"Unlawful  
employment  
practice."

5. The term "employer" does not include a club

Certain employers excluded. exclusively social, or a fraternal, charitable, educational or religious association or corporation, if such a club, association or corporation is not organized for private profit, nor does it include any employer with less than ten persons in his employ.

Domestic help excluded. 6. The term "employee" does not include any individual employed in the domestic service of any person,

"Department." 7. The term "department" means the Department of Labor of Alaska.

"Commissioner." 8. The term "commissioner", unless a different meaning clearly appears in the context, means the Commissioner of Labor of Alaska.

"National origin" includes ancestry. 9. The term "national origin" for the purpose of this act shall include ancestry.

Section 4. For the purpose of this act it shall be an unlawful employment practice:

Refusal to hire unlawful. 1. For an employer, because of the race, religion, color or national origin of any individual, to refuse to hire or employ or to bar from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

Exclusion from labor organization membership unlawful. 2. For a labor organization, because of the race, religion, color or national origin of any individual to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by the employer.

Discrimination for opposition to forbidden practices unlawful. 3. For an employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices forbidden under this act, or because he has filed a complaint, testified or assisted in any proceeding under this act.

4. For any person, whether an employer or an employee, or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act or to attempt to do so.

Aid in forbidden acts unlawful.

Section 5. Any person claiming to be aggrieved by an alleged unlawful employment practice, may, by himself or his attorney at law, make, sign and file with the commissioner a verified complaint in writing which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful employment practice complained of, and which complaint shall set forth the particulars thereof. The complainant shall be required to set forth in the complaint such other information as the commissioner may deem pertinent. Any employer whose employees, or any of them, refuse or threaten to refuse to abide by the provisions of this act or to cooperate in carrying out its purposes may file with the commissioner a verified complaint requesting assistance by conciliation or other remedial action.

Complaint.

Assistance by conciliation.

Section 6. After the filing of any complaint, the commissioner shall cause prompt impartial investigation to be made in connection therewith; and if the commissioner shall determine that the allegations of the complaint are supported by substantial evidence he immediately shall endeavor to eliminate the unlawful practice complained of by conference, conciliation and persuasion.

Investigation.

Method of elimination.

In case of failure to so eliminate such practice, the commissioner shall cause to be issued and served a written notice, together with a copy of the complaint, requiring the person, employer, labor organization or employment agency named in the complaint, hereinafter referred to as respondent, to answer such charges at a hearing before the commissioner at a time and place which shall be specified in said notice. Such hearing may be held at any public place designated by the commissioner, within the

Hearing before commissioner.

Answer by respondent.

precinct wherein the offense is alleged to have occurred. The respondent may file a verified answer to the allegations of the complaint and may appear at such hearing in person and with or without counsel. Testimony or other evidence may be introduced by either party. All evidence shall be under oath and a record thereof shall be made and preserved. If, after considering all the evidence, the commissioner shall find that the respondent has engaged in an unlawful employment practice as alleged in the complaint, he shall serve a certified copy of such finding on the respondent, together with an order requiring respondent to cease and desist from such unlawful employment practice. If, on the other hand, the commissioner shall find the respondent has not engaged in an unlawful employment practice as alleged in the complaint, he shall serve a certified copy of his finding on the complainant, together with an order dismissing such complaint.

Evidence.

Findings and  
order of  
commissioner.

Enforcement  
of order.

Section 7. Any order issued by the commissioner as aforesaid may be enforced by mandamus or injunction or by a suit in equity to compel specific performance of such order.

Appeal.

Section 8. Any party aggrieved by an order of the commissioner issued after hearing, as provided herein, may appeal from such order to the District Court of the Territory of Alaska for the division in which the unlawful employment practice is alleged to have occurred, within 20 days after receipt of service of such order. Such appeal may be taken by serving upon the commissioner and filing with the clerk of said court a notice of appeal, together with a copy of the order appealed from, a copy of the notice of hearing and an undertaking in the sum of two hundred dollars (\$200.00), conditioned to pay all costs that may be awarded against appellant on such appeal. The filing of the appeal shall operate as a stay of the order appealed from. Upon a notice of an appeal being filed in the office of the commissioner, a certified

Bond on appeal.

transcript of the entire record taken at the hearing shall promptly be filed with the clerk of said court.

Section 9. The appeal shall be determined and tried de novo in the manner provided by law for the trial of suits in equity.

Appeal tried  
de novo.

Section 10. Any person, employer, labor organization or employment agency who or which shall willfully resist, prevent, impede or interfere with the commissioner or any of his authorized agents in the performance of duty under this act, or shall willfully violate an order of the commissioner, shall be guilty of a misdemeanor and be punishable by imprisonment in jail for not more than one year, or by a fine of not more than five hundred dollars (\$500.00), or by both such imprisonment and fine; but an appeal or other procedure for the review of any such order shall not be deemed to be such willful conduct.

Penalty for  
violations.

Approved March 9, 1953.

## CHAPTER 19

### AN ACT

[H. B. 25]

Prohibiting cruelty to animals; defining offenses; and prescribing penalties; repealing Section 65-9-34 ACLA 1949.

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

Section 1. CRUELTY IN GENERAL. Any person who shall unnecessarily overwork, torment, cruelly beat or otherwise abuse or kill, a domestic animal or creature, or cause or procure any of such acts to be done, or abandon where there is not a caretaker to assume the responsibility of proper food and water, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$100.00 or by imprisonment in the Federal jail of not more than 30 days, or by both such fine and imprisonment. Nothing in this Act shall be

Cruelty defined.

Penalty.