

Payment to  
assistants.

time as may be deemed necessary in order to carry out the purposes of this Act.

Report and  
accounting.

Section 6. The Committee shall make full reports from time to time of all of its activities, its findings, recommendations and actions to the Governor and members of the Legislature; the first of which reports shall be made not later than July 1, 1953, and it shall make a full and complete report, which shall include an audited accounting of all sums disbursed hereunder, to the next session of the legislature, whether regular or special. Such reports shall be kept confidential until released by the Legislature, except when a majority of the Committee shall deem it necessary to disclose such reports.

Reports  
confidential.

Appropriation.

Section 7. There is hereby appropriated the sum of \$75,000.00, or so much thereof as is necessary, to carry out the provisions of this Act, from funds not otherwise appropriated in the Territorial Treasury.

Severability  
clause.

Section 8. If any provision of this Act or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Emergency clause.

Section 9. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.

## CHAPTER 63

### AN ACT

[S. B. 45]

To promote the public health of the people of the Territory of Alaska and to provide for the premarital physical examinations and serological tests; prescribing powers and duties of the Commissioner of Health; defining offenses and prescribing penalties: amending Chapter 64 Session Laws of Alaska 1949.

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

Section 1. Chapter 64, Session Laws of Alaska 1949, is amended to read as follows:

**Section 1. PHYSICIANS'S CERTIFICATE:  
PREREQUISITE FOR MARRIAGE LICENSE.**

Before any licensing officer shall issue any marriage license, each applicant therefor shall file with him a premarital certificate from a licensed physician or surgeon, which certificate shall state the age of the applicant; that the applicant has been given a physical examination, including a standard serological test for syphilis, made not more than thirty days prior to the date of issuance of such license and that in the opinion of such physician or surgeon, the applicant either is not infected with syphilis or other venereal disease, or, if so infected, is not in a stage of such disease which is or which may become communicable.

Physician's certificate of medical examination required.

Physical examination to include serological test.

**Section 2. SHALL BE ACCOMPANIED BY  
LABORATORY REPORT.**

The premarital certificate shall contain a report from the person in charge of the laboratory making a standard serological test, or from some other person authorized to make such reports, setting forth the name of the test, the date it was made, the name and address of the physician or surgeon to whom the report was sent, and the name and address of the person whose blood was tested, but not stating the result of the test.

Laboratory report: contents.

**Section 3. FORMS PROVIDED BY  
ALASKA DEPARTMENT OF HEALTH.**

The premarital certificate shall be on a form to be provided and distributed by the Alaska Department of Health to approved laboratories or clinics in the Territory. This form is referred to

Health Dept. to provide certificate forms.

Comparable state or Canadian certificate acceptable.

in this Act as the premarital certificate. Any premarital certificate which has been approved by the proper authority in any state or Canadian Province requiring premarital examinations for venereal diseases shall be accepted in Alaska.

Serological test defined.

Section 4. TESTS AND LABORATORIES: APPROVED BY ALASKA DEPARTMENT OF HEALTH. For the purposes of this Act, a standard serological test shall be a test for syphilis approved by the Alaska Department of Health and shall be made at a laboratory or clinic approved by the Alaska Department of Health. The Alaska Department of Health is authorized and empowered to make rules and regulations governing the approval of laboratories or clinics for the purpose of this Act. The laboratories of the Alaska Department of Health shall make such laboratory tests or examinations as are required without charge on the request of any licensed physician or surgeon. In submitting the sample to the laboratory, the physician shall designate that it is for a premarital test.

Free tests.

Designation as premarital test.

Section 5. LABORATORY REPORTS: CONFIDENTIAL: EXCEPTIONS. Upon a separate form laboratory report to be furnished by the Alaska Department of Health a detailed report of the examination or standard serological test, together with the premarital certificate, shall be transmitted from the laboratory to the physician requesting the report. This laboratory report form shall be retained by the physician as a part of his confidential files. A duplicate of this laboratory report shall be transmitted by the laboratory to the Alaska Department of Health, where it shall be held in absolute confidence and shall not be open to public inspection; provided that it shall not be produced for evi-

Laboratory reports confidential.

Duplicate copy of laboratory report confidential.

dence at a trial or proceeding in any court, and provided that it may be used in the compilation of aggregate figures and reports, without disclosing the identities of the persons involved. Any Territorial official or any Territorial employee who shall knowingly or wilfully violate the confidence herein provided, or who shall knowingly or wilfully disclose to anyone not authorized, any information of a confidential nature specified herein shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment in a Federal jail of not more than six months, or by both such fine and imprisonment.

Exception.

Penalty for violation of confidence.

**Section 6. PREMARITAL CERTIFICATE NOTED ON LICENSE.** When the licensing officer issues any marriage license, he shall enter thereon, in the space provided, that he has on file the above mentioned premarital certificates of each applicant, with the date of the laboratory test, or the waiver order provided in Section 7. The commissioner shall file in his office with the Marriage License Docket the above mentioned premarital certificates or waiver order. No person authorized to perform marriage ceremonies in Alaska shall perform any ceremony without the marriage license having the proper entries pertaining to the premarital certificates or waiver order as specified above.

Premarital certificate to be noted on marriage license.

Filing.

Prerequisite to marriage.

**Section 7. COMMISSIONER EMPOWERED TO WAIVE EXAMINATION AND LABORATORY TEST.** A United States Commissioner or United States Marriage Commissioner within the judicial division in which the license is to be issued is authorized and empowered, on joint application by both applicants for a marriage

Commissioner may waive medical examination requirements.

license to waive the requirements as to medical examinations, laboratory tests, and premarital certificates, and issue the license, if all other requirements of the marriage laws have been complied with, if the commissioner is satisfied by affidavit or other proof that an emergency exists by reason of the absence from the area in which the applicants and commissioner reside of a licensed physician or surgeon to make such physical examination of the applicants, or if the physician taking the blood test in cities or communities where no laboratory is located, certifies that such blood test was sent to the laboratory at least three days prior to such certification and that no return has as yet been received from the laboratory, or that such examination or test is contrary to the tenets or practices of the religious creed of which the applicant is an adherent, and that the public health and welfare will not be injuriously affected thereby. The order of the Commissioner shall be filed as provided in Section 6 in lieu of the premarital certificate. There shall be no fee or court costs for these proceedings and all records connected therewith shall be held in absolute confidence and shall not be open to public inspection and the hearings on the application shall not be made public or open to the public.

Order of  
Commissioner  
in lieu of  
certificate.

Records and  
hearings  
confidential.

Penalties for  
violations.

Section 8. FAILURE TO COMPLY: MISDEMEANOR. Any person who misrepresents any fact required to be stated on the premarital certificate or other form required by this Act, or any licensing officer who issues a marriage license without having received the premarital certificates or waiver order as provided in this Act, or who has reason to believe that any of the

facts thereon have been so misrepresented and shall nevertheless issue a marriage license, or any person authorized to perform marriage ceremonies who performs any such ceremony without the premarital certificates or waiver order noted on the marriage license, or any person who otherwise fails to comply with the provisions of this Act shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than \$250.00.

Approved March 25, 1953

## CHAPTER 64

### AN ACT

[S. B. 701]

To authorize the Alaska Fisheries Board to accept money for specific purposes, to create a special "Fisheries Contingent Receipts Fund" for deposit of such money, and to provide for disbursement of moneys from the fund.

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

Section 1. The Alaska Fisheries Board, acting by and through its Director, is authorized to accept money from any person, firm, partnership, corporation, organization, or governmental agency, under conditions requiring the use of such money for specific purposes in furtherance of the protection, rehabilitation, preservation, or conservation of the Territorial fish and shellfish resources, or in settlement of any claims for damages to such fish and shellfish resources.

Board authorized to accept money.

Section 2. The Director of the Board is hereby designated the agent of the Territory to accept and receive all such funds and deposit them with the Territorial Treasurer who shall credit them to a special fund, which is hereby created in the Territorial Treasury, and to be known as the "Fisheries Contingent Receipts Fund".

Director as agent.

Fisheries Fund created.