

1 IN THE SENATE

BY RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 224

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for the service of civil
7 process by the Commissioner of the Depart-
8 ment of Public Safety; establishing the
9 Commissioner as an officer of the courts of
10 the State; and providing for an effective
11 date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 Section 1. DEFINITIONS. Where appearing in this Act:

14 (a) "Commissioner" means the Commissioner of the De-
15 partment of Public Safety.

16 (b) "Process" means any summons, writ, process, order
17 or subpoena, of any nature whatever.

18 (c) District Magistrate Courts shall include all
19 Deputy Magistrates.

20 Sec. 2. DUTY OF THE COMMISSIONER IN THE SUPREME COURT. The
21 Commissioner shall be the executive officer of the Supreme Court
22 and shall serve and execute all process issued by the Supreme
23 Court or a Justice thereof, and shall attend the Supreme Court,
24 and have such authority as is necessary in the execution of these
25 duties as is now possessed by the United States Marshal for the
26 United States Supreme Court.

27 Sec. 3. DUTY OF COMMISSIONER IN SUPERIOR AND DISTRICT
28 MAGISTRATE COURTS. When required by the Supreme Court, the Com-
29 missioner shall serve and execute all process issued by the

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1 Superior and District Magistrate Courts, attend to and wait upon
2 grand and petit juries, maintain order, attend the sessions of
3 such courts, and exercise the power and perform the duties con-
4 cerning all matters within the jurisdiction of such courts as may
5 be assigned to him. He shall be the executive officer of the
6 Superior and District Magistrate Courts.

7 Sec. 4. GENERAL AUTHORITY AND DUTY OF THE COMMISSIONER. All
8 of the authority and the duty heretofore vested in the United
9 States Marshal by virtue of any and all statutes relating to the
10 execution of service of process of the former United States Dis-
11 trict Court for the Territory of Alaska, seizure and detention of
12 property, the sale of property forfeited or levied upon, and
13 arrest of persons, in connection with civil matters, shall be
14 vested in the Commissioner. Any court of the State issuing any
15 process may direct the same for execution of service to the Com-
16 missioner or his designee.

17 Sec. 5. COMMISSIONER TO BE AIDED BY THE MEMBERS OF THE
18 DIVISION OF STATE POLICE AND ALASKA STATE CONSTABULARY. The Com-
19 missioner shall be assisted in the execution of the authority and
20 duty vested in him by this Act by such members of the Division of
21 State Police or Alaska State Constabulary as the Commissioner may
22 designate. He shall be responsible on his official bond for the
23 acts of all persons so designated by him.

24 Such designated members shall have the same authority and
25 duty as herein granted to the Commissioner and shall be subject
26 to orders of the courts of the State in the same manner as the
27 Commissioner. Such members shall be responsible to the Commis-
28 sioner and to the courts, and shall be executive officers of the
29 courts.

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1 The Commissioner shall have the responsibility of providing
2 sufficient personnel to effectively execute the authority and duty
3 vested in him by this Act, and shall adopt the necessary rules and
4 regulations within his department for the efficient direction,
5 control and discipline of the members thereof designated by the
6 Commissioner to assist him.

7 Sec. 6. TIME OF TAKING EFFECT. This Act shall take effect
8 on the day after its passage and approval or on the day it becomes
9 law without approval.

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