

CHAPTER 144

AN ACT

[C. S. H. B. 17]

To create a Department of Territorial Police, prescribe its duties and powers, making an appropriation and repealing Section 50-1-4 (j) ACLA 1949.

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

Creation.

Membership.

Appointment.

Term.

Vacancies.

Superintendent.

Bond.

Territorial
Police Force.

Section 1. There is hereby created a Department of Territorial Police, the head of which shall be the Superintendent of Territorial Police. The Superintendent shall be appointed by the Police Commission, consisting of the Attorney General, the Highway Engineer and three members at large. The members at large of the Commission shall be appointed by the Governor and shall be confirmed by a majority of both houses of the legislature in joint session assembled. The members at large of the Commission shall serve a term of four years, except for the original members, one of whom shall be appointed for two, and the others for four year terms. The Governor shall have the power to fill vacancies, caused by death or resignation, by appointment for the unexpired term, subject to confirmation at the next session of the legislature.

Section 2. The superintendent shall hold office for a term of four years, subject to removal by the Commission for inefficiency or malfeasance or when in the judgment of the Commission the good of the service requires it. Before assuming the duties of his office, the Superintendent shall take and subscribe an oath of office and give a surety bond to be approved by the Commission in the sum of Twenty-thousand Dollars (\$20,000.00) for the faithful performance of his duties, the premium on which bond shall be paid in the same manner as other expenses of the Department of Territorial Police. The oath of office and bond of the Superintendent shall be filed in the office of the Attorney General.

Section 3. The Superintendent, with the approval of the Commission, is authorized and directed to appoint a Territorial police force, consisting of such number of personnel as shall be necessary. All such personnel shall, without exception, be selected on the basis of character, experience, ability, physical fitness, and merit as demonstrated by written examination, and without regard to political or other considerations.

Section 4. The Commission shall establish such salary scale and personnel policy for all employees of the Department as shall be requisite and proper. Personnel of the Department shall be removable by the Superintendent for inefficiency or misconduct after written charges have been preferred and a hearing granted, in the manner hereinafter provided.

Section 5. The Commission may designate such of its members or officers of the Department as may be necessary to serve as a trial board to hear charges against personnel of the Department. The presiding officer of such trial board is empowered to compel the attendance of witnesses and the production of evidence by subpoena. Decisions of the trial board shall be subject to review by the district court on appeal. Nothing herein contained shall be deemed to require a hearing before a trial board prior to disciplinary measures taken by the Superintendent or any commanding officer for the punishment of infraction of the rules and regulations of the Department.

Section 6. The Territory shall provide the members of the Department with standard uniforms, vehicles, supplies and equipment necessary to carry out the objects and purposes of this Act, and all such property shall remain the property of the Territory of Alaska. The Commission shall establish stations and headquarters at such places and localities within the Territory as may be necessary for the enforcement of the laws and may, with the

Personnel.

Removal.

Trial Board.

Decision and appeal.

Supplies and equipment.

Stations and headquarters.

approval of the Governor, have the right to use lands and buildings for the accomodation of the members of the force, their vehicles and equipment. The Superintendent shall have authority to direct that members serve without wearing uniforms.

Section 7. The Commission is hereby authorized to establish, within the Department, a detective bureau, central bureau of identification and information, and a criminal detection laboratory. Through such bureaus, the Department shall afford central information on fingerprints, handwriting, ballistics, stains and other evidences of crime. It shall the duty of all police officers of the Territory or any municipality or subdivision thereof to cooperate with the Department in creating and maintaining the files of the Department, and all information shall be classified upon standard forms and kept available for the detection of crime and the identification of criminals. Any person who removes, destroys, or mutilates any of the records of the Department is guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine not exceeding Five Hundred Dollars (\$500.00) or committed to jail for a term not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

Section 8. The Department and each of the members thereof shall be charged with the enforcement of all criminal laws effective within the Territory, and shall have the power now had by any peace officers of the Territory or municipalities and such power as is usual and customary with peace officers. They hereby are authorized and empowered to prevent crime, pursue and apprehend offenders, obtain legal evidence, institute criminal proceedings, execute any lawful warrant or order of arrest, make arrest without warrant for violations of the law committed in their presence, and for felonies committed, the same as are or may be authorized by law

Detective
bureau,
identification
bureau, and
criminal detec-
tion laboratory.

Destruction
of records.

Penalty.

Powers of
department
and members.

for other peace officers. The members of the force are empowered to cooperate with any other law enforcement agency in detecting crime, apprehending criminals, and preserving law and order throughout the Territory.

Section 9. The Department shall, when required, assist other Departments of the Territorial, Municipal and Federal governments in the enforcement of criminal laws or regulations pertaining to such other departments.

Assistance to other departments.

Section 10. The Department and all members thereof shall have the power to command the assistance of any able-bodied person to aid in accomplishing the purposes of this Act; when so called any person shall, during the time his assistance is required, be considered a member of the Territorial Police and subject to the provisions of this Act.

Assistance from other able-bodied persons.

Section 11. Members of the Department shall not in any way interfere with the rights or property of any person except in such lawful manner as may be necessary for the prevention of crime or the capture and arrest of offenders, nor shall any member of the force, directly or indirectly, be active or participate in any political contest or election, except to cast his ballot.

Limitations.

Section 12. The Board of Road Commissioners shall deliver to the Department of Territorial Police all such motor vehicles, property and other equipment owned by the Territory of Alaska as is now used by the Highway Patrol. Section 50-1-4 (j) ACLA 1949, is hereby repealed and the Highway Patrol created thereunder hereby abolished. Qualified personnel of the Highway Patrol shall be given preference in employment by the Department of Territorial Police.

Highway Patrol abolished.

Section 13. The members at large of the Commission shall receive actual travel expense and per diem at the rate established for Territorial Board members while

Expenses and per diem of members.

attending Commission meetings or otherwise carrying out the duties of their office.

Appropriation. Section 14. The sum of Two Hundred Thousand Dollars (\$200,000.00) is hereby appropriated from the General Fund of the Territorial Treasury for the purpose of carrying out the provisions of this Act, and the additional sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to be used for said purpose, is hereby appropriated out of the "Roads, Airfields, Water and Harbor Facilities Fund", provided for in Section 48-5-2 ACLA 1949, as amended.

Approved March 31, 1953

CHAPTER 145

AN ACT

[S. B. 85]

To amend Section 22-3-1, Alaska Compiled Laws Annotated, 1949, relating to manner of executing conveyances: Joinder of husband and wife.

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

Execution
of property
conveyances.

Section 1. That Section 22-3-1, Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Joinder of
husband and wife.

§ 22-3-1. Manner of executing conveyances: Joinder of husband and wife. A conveyance of lands, or of any estate or interest therein, may be made by deed, signed and sealed by the person from whom the estate or interest is intended to pass, being of lawful age, or by his lawful agent or attorney, and acknowledged or proved, and recorded as directed in this chapter, without any other act or ceremony whatever; Provided, however, that in all deeds or conveyances of the family home or homestead made by a married man, or a married woman, the husband and wife