

Territorial Police shall have general supervision and control over the issuance of vehicle operators' licenses in accordance with the rules and regulations of the Territorial Board of Road Commissioners and shall have full power

to collect operators' license fees and to do all things necessary and proper to carry out the provisions of this Act relating to the licensing of vehicle operators under said rules and regulations.

Approved March 28, 1955

CHAPTER 153

AN ACT

Relating to damages in actions for wrongful death; amending Sec. 61-7-3, ACLA, 1949, as amended by Ch. 89, SLA, 1949.

(H. B. 139)

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

Section 1. Section 61-7-3 ACLA 1949, as amended by Chapter 89, Session Laws of Alaska, 1949, is hereby amended to read as follows:

Sec. 61-7-3. Action for Wrongful Death: Disposition of Amount Recovered. When the death of a person is caused by the wrongful act or omission of another, the personal representatives of the former may maintain an action therefore against the latter, if the former might have maintained an action, had he lived, against the latter for an injury done by the same act or omission. Such action

shall be commenced within two years after the death, and the damages therein shall not exceed fifty thousand dollars, and the amount recovered, if any, shall be exclusively for the benefit of the decedent's husband or wife and children when he or she leaves a husband, wife, or children, him or her surviving; or leaving no husband, wife or children surviving then and in that event, for the benefit per capita of the child or children of the decedent's child or children, if any, and the surviving parent or parents of the decedent. When the Plaintiff prevails, the trial court shall determine the allowable costs and expenses of the action and may, in

its discretion, require notice and hearing thereon. The amount recovered shall be distributed only after payment of all costs and expenses of suit and debts and expenses of administration.

The damages recoverable under this Act shall be limited to those which are the natural and proximate consequence of the negligent or wrongful act or omission of another.

In fixing the amount of damages to be awarded under this Act, the Court or jury shall consider all the facts and circumstances and from them fix the award at such sum as will fairly compensate for the injury resulting from the death. In determining the amount of the award, the Court or jury shall consider but is not limited to the following:

(1) Deprivation of the expectation of pecuniary benefits to the beneficiary or beneficiaries, without regard to the age thereof,

that would have resulted from the continued life of the deceased and without regard to probable accumulations or what the deceased may have saved during his lifetime.

(2) Loss of contributions for support.

(3) Loss of assistance or services irrespective of age or relationship of decedent to the beneficiary or beneficiaries.

(4) Loss of consortium.

(5) Loss of prospective training and education.

(6) Medical and funeral expenses.

The death of a beneficiary or beneficiaries before judgment shall not affect the amount of damages recoverable hereunder.

The right of action hereby granted shall not be abated by the death of a person named or to be named the defendant.

Approved March 28, 1955

CHAPTER 154

AN ACT

Prohibiting fish traps on lands owned by the Territory of Alaska; providing for restrictive covenants in the sale or lease of such lands; defining violations; prescribing penalties; and declaring an emergency.

(H. B. 157)