

public employee to join, or to refrain from joining, a labor organization.

When a question concerning the representative of employees is raised by the governmental agency, labor organization, or employees, the labor conciliator or any person designated by him shall, at the request of any of the parties, investigate such controversy and certify to the parties in writing the name or names of the representatives that have been designated or selected. In any such investigation, the labor conciliator may provide for an appropriate hearing, and shall take a secret ballot of employees to ascertain such representatives.

Approved April 27, 1957.

CHAPTER 790—S. F. No. 1639

An act relating to the prevention and control of crime; amending Minnesota Statutes 1953, Sections 626.38, 626.39 and 626.40.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1953, Section 626.38, is amended to read :

626.38 System for identification of criminals; records and indexes. The bureau shall install systems of identification of criminals, including the finger-print system, the modus operandi system, the Bertillon method, and such others as the superintendent deems proper. The bureau shall keep a complete record and index of all information received in convenient form for consultation and comparison. The bureau shall obtain from wherever procurable and file for record finger and thumb prints, measurements, photographs, plates, outline pictures, descriptions, modus operandi statements, or such other information as the superintendent considers necessary, of persons who have been or shall hereafter be convicted of a felony, *gross misdemeanor*, or an attempt to commit a felony or *gross misdemeanor*, within the state, or who are known to be habitual criminals. To the extent that the superintendent may determine it to be necessary, the bureau shall obtain like information concerning persons convicted of a crime under the laws of another state or government, *the central repository of this records system is the bureau of criminal apprehension in St. Paul.*

Sec. 2. Minnesota Statutes 1953, Section 626.39, is amended to read:

626.39 **Finger-prints, Bertillon measurements, photographs; powers of sheriffs and police officers.** It is hereby made the duty of the sheriffs of the respective counties and of the police officers in cities of the first, second, and third classes, under the direction of the chiefs of police in such cities, to take or cause to be taken immediately finger and thumb prints, photographs, and such other identification data as may be requested or required by the superintendent of the bureau; of all persons arrested for a felony, *gross misdemeanor*, of all juveniles committing felonies as distinguished from those committed by adult offenders, of all persons reasonably believed by the arresting officer to be fugitives from justice, of all persons in whose possession, when arrested, are found concealed firearms or other dangerous weapons, burglar tools or outfits, high-power explosives, or articles, machines, or appliances useable for an unlawful purpose and reasonably believed by the arresting officer to be intended for such purposes, and within 24 hours thereafter to forward such finger-print records and other identification data on such forms and in such manner as may be prescribed by the superintendent of the bureau of criminal apprehension.

Sec. 3. Minnesota Statutes 1953, Section 626.40, is amended to read:

626.40 **Prints, furnished to bureau by sheriffs and chiefs of police.** The sheriff of each county and the chief of police of each city of the first, second, and third classes shall furnish the bureau, upon such form as the superintendent shall prescribe, with such finger and thumb prints, photographs, and other identification data as may be requested or required by the superintendent of the bureau, which may be taken under the provisions of section 626.39, of persons who shall be convicted of a felony, *gross misdemeanor*, or who shall be found to have been convicted of a felony or *gross misdemeanor*, within ten years next preceding their arrest. Upon the determination of all pending criminal actions or proceedings in favor of the arrested person, he shall, upon demand, have all such finger and thumb prints, photographs, and other identification data, and all copies and duplicates thereof, returned to him, provided it is not established that he has been convicted of any felony, either within or without the state, within the period of ten years immediately preceding such determination.

Approved April 27, 1957.
