

**HOUSE BILL NO. 200**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE JAMES**

**Introduced: 3/18/97**

**Referred: State Affairs**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to subpoenas of the Administrative Regulation Review Committee;  
2 and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 24.20 is amended by adding a new section to read:

5 **Sec. 24.20.455. Subpoenas.** (a) A subpoena or subpoena duces tecum  
6 requiring the attendance of a witness or the production of a record or other material  
7 at a meeting of the Administrative Regulation Review Committee may be issued by  
8 the chair upon the approval of at least a majority of the members. The subpoena shall  
9 be served in accordance with the Alaska Rules of Civil Procedure. The subpoena is  
10 sufficient if it

11 (1) is addressed to the witness;

12 (2) states that the witness is required to appear before the  
13 Administrative Regulation Review Committee and identifies records to be produced,  
14 if any;

1 (3) states the time and place that the attendance of the witness is  
2 required;

3 (4) states that the subpoena has been approved by at least a majority  
4 of the members of the committee; and

5 (5) is signed by the chair of the committee or the chair's designee.

6 (b) A witness who appears before the committee under a subpoena is entitled  
7 to receive

8 (1) fees as prescribed for a witness in a court action, unless the witness  
9 is an officer or employee of the state or a political subdivision of the state;

10 (2) reimbursement of transportation expenses in accordance with  
11 standards established by the Department of Administration under AS 39.20.160 for  
12 required travel in excess of 30 miles round trip from the witness's residence; and

13 (3) reimbursement of food and lodging expenses in accordance with  
14 standards established by the Department of Administration under AS 39.20.160 for  
15 each day of actual attendance and for each day of reasonable and necessary travel to  
16 and from the place of the meeting if the witness attends a meeting at a point so distant  
17 from the residence of the witness that a return to the residence from day to day is not  
18 practicable.

19 (c) A witness who is under subpoena and neglects or refuses to attend a  
20 meeting of the Administrative Regulation Review Committee may be arrested and  
21 brought before the committee by any person charged with the enforcement of state  
22 law. The only warrant or authority necessary to authorize an arrest under this  
23 subsection is

24 (1) a copy of the subpoena;

25 (2) a copy of the proof of service of the subpoena; and

26 (3) a written direction for the arrest of the witness signed by the chair  
27 and by a majority of the members of the committee.

28 \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).