

CS FOR HOUSE BILL NO. 200(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/9/97
Referred: Rules

Sponsor(s): REPRESENTATIVE JAMES

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.

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) If a witness who is under subpoena neglects or refuses to attend a meeting
20 of the Administrative Regulation Review Committee, the committee may bring an
21 action in superior court to enforce the subpoena.

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