

SENATE BILL NO. 376

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/24/04

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public assistance and subpoena powers."**

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

3 * **Section 1.** AS 47.05 is amended by adding a new section to read:

4 **Sec. 47.05.085. Subpoena power.** (a) The commissioner or the
5 commissioner's designee may issue subpoenas to compel the production of books,
6 papers, correspondence, memoranda, and other records considered necessary as
7 evidence in connection with an investigation under or the administration of AS 47.07
8 (medical assistance), AS 47.08 (assistance for catastrophic illnesses and acute or
9 chronic medical conditions), AS 47.25 (day care assistance, child care grants, general
10 relief, adult public assistance, and food stamps), and AS 47.27 (Alaska temporary
11 assistance program).

12 (b) In case of refusal to obey a subpoena issued to any person under (a) of this
13 section, the superior court may, upon application by the department, issue an order
14 requiring the person to appear before the department to produce evidence if ordered.
15 Failure to obey the order of the court is punishable as contempt.

1 (c) A person who, without just cause, fails or refuses to produce books,
2 papers, correspondence, memoranda, and other records, if it is in the person's power to
3 do so, in obedience to a subpoena of the department or an authorized representative of
4 it, upon conviction, is punishable by a fine of not more than \$200, or by imprisonment
5 for not more than 60 days, or by both. Each day the failure or refusal continues is a
6 separate offense.