

Original

*Under
the
act*

IN THE HOUSE

BY MR. STRINGER

HOUSE BILL NO. 130

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-FIRST SESSION

A BILL

For an Act entitled: "An Act to create a Legislative Examination and Investigating Committee, composed of members of the House and Senate, for the purpose of inquiring into the official conduct, administrative acts and operations of all Territorial boards, commissions, bureaus and elected and appointed Territorial officials, and all executive officers and officials and employees of the Territory, to make findings and reports to the legislature and to the Governor of Alaska, to institute proceedings in court where deemed necessary, and to cooperate with the Attorney General of the United States, Federal Bureau of Investigation, and other Federal officials and agencies; making an appropriation and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. There is hereby created the Alaska Legislative Examination and Investigating Committee, whose duty it shall be to carry out the provisions of this Act.

The members of the Committee shall consist of three members of the present Territorial Senate and three members of the

1 House of Representatives, who shall serve during their
2 terms of office as members of the legislature which
3 appoints them and for a period of 30 days thereafter.
4 The Senators chosen as members of the Committee shall be
5 appointed by the President of the Senate, Twenty-first
6 legislature, and confirmed by and with the approval of
7 the majority of the members of the Senate. The members
8 of the House shall be appointed by the Speaker of the
9 House, Twenty-first legislature, by and with the approval
10 of the majority of the members of the House.

11 Section 2. It shall be the duty of the Committee to make
12 inquiry into the constitution and operations and conduct of all
13 boards, bureaus, commissions and officials, elected and appointed,
14 of the Territory; to examine books, records and accounts of
15 all such boards, commissions, bureaus, officials and employees
16 of the Territory; ~~to determine the fitness of the members of~~
17 ~~all boards, commissions and bureaus, and of all elected and~~
18 ~~appointed officials and all employees of the Territory and~~
19 ~~every department thereof;~~ to determine whether the boards, com-
20 missions, bureaus, officials, officers and employees ^{of the Territory} are con-
21 ducting their offices and performing their duties in the most
22 efficient manner and in accordance with the law and the intent
23 of the legislature; ^{make recommendations for the elimination of} ~~to eliminate~~ all waste, extravagance, and
24 unnecessary ^{travel and other} expense; ^{expended in territorial} ~~to curtail~~ unnecessary travel and to sug-
25 gest the resignation or removal of any and all members of boards,
26 commissions and bureaus and all officers and employees of the
27 Territory, where this is deemed in the best interest of the
28 Territory, and of good and efficient government; to cause civil
29 or criminal actions to be instituted in court where, in the

1 opinion of a majority of the members of the Committee, this is
2 warranted, and including actions for the removal of members of
3 the boards, commissions and bureaus, or any other Territorial
4 official or employee; to cooperate with the Attorney General of
5 the United States, Federal Bureau of Investigation and all other
6 Federal officers and agencies to effect the purpose of this Act,
7 and particularly where Territorial officials are dealing with
8 both Federal and Territorial funds and with the execution of both
9 Federal and Territorial laws; to ^{investigate and recommend} ~~exercise all powers necessary to~~
10 ^{re-organization in} ~~effect consolidations~~ of boards, commissions, bureaus and
11 agencies, where it would be in the best interest of efficient
12 government; to do and perform everything necessary to carry out
13 the purpose and intent of this Act.

delet

14 Section 3. The Committee shall have free access at all
15 times to the records, books of account, correspondence, papers
16 and documents of all Territorial boards, commissions, agencies,
17 officials and employees, so far as they relate to the conduct
18 of their respective offices, to hold hearings in connection with
19 the performance of their duties, to administer oaths and examine
20 witnesses, to issue subpoenas to all persons whose attendance
21 ^{may be required} and to issue orders ^{with respect to such hearings} to all officers and employees
22 of the Territory and of every board, commission, bureau and
23 agency thereof; ^{investigate} ~~to file~~ complaints and institute civil actions
24 in the courts in ^{all cases} ~~any cases~~ where that is deemed necessary in
25 order to ~~effectuate~~ ^{investigate} the purposes of this Act; to employ one or
26 more expert investigators and accountants and such other assist-
27 ants as, in their judgment, may be required, and to generally do
28 and perform everything necessary to make a complete investigation
29 of all the commissions, bureaus, agencies, elected and appointed

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Page 3, line 23, strike out word "to" and insert the following: "provided, however, that any person under investigation shall have the right to be present during such hearing, with or without council, to subpoena witnesses on his behalf, and cross examine witnesses against him. The hearings shall be conducted as nearly as possible in accordance with the rules of evidence and by no less than three members of the Committee in personal attendance. The Committee may"

1 officials and employees of the Territory of Alaska.

2 Section 4. The Committee, ~~consisting of the three members~~
3 ~~of the Senate and three members of the House,~~ as herein pro-
4 vided, shall be constituted and the members thereof appointed
5 in the manner herein provided, immediately upon the passage and
6 approval of this Act. The Committee shall enter upon the per-
7 formance of its duties immediately upon their appointment and
8 confirmation by the respective houses of the legislature.

9 Section 5. The members of the Committee shall receive no
10 salaries, but shall be entitled to receive from the appropria-
11 tion hereinafter set up a per diem of not to exceed \$35.00 per
12 day while actually engaged in the performance of the duties of
13 the Committee, and in addition thereto, such necessary expenses
14 as are incurred by them in the performance of their duties, and
15 the Committee is authorized and empowered to pay such assistants,
16 investigators, accountants and other employees, such sums from
17 time to time as may be deemed necessary in order to carry out
18 the purposes of this act.

19 Section 6. The Committee shall make full reports from time
20 to time to the Governor of all of its activities, its findings,
21 recommendations and actions, ^{to the Governor and members of the legislature} the first of which reports shall be
22 made not later than July 1, 1953, and it shall make a full and
23 complete report ^{which shall include an audited accounting} to the next session of the legislature, whether
24 regular or special. ^{such reports shall be kept confidential until}

25 Section 7. There is hereby appropriated the sum of
26 ^{25,000.00 or so much thereof as is necessary,} \$100,000.00 to carry out the provisions of this Act, from funds
27 not otherwise appropriated in the Territorial Treasury.

28 Section 8. If any provision of this Act or the application
29 thereof to any person or circumstance is invalid, such

*Approved by the legislature, which no fee or election...
should be paid to any member of the legislature...
during the period when the legislature is in session.*

Adopted

Adopted

Adopted

Adopted

Adopted

1 invalidity shall not affect other provisions or applications of
2 the Act which can be given effect without the invalid provision
3 or application, and to this end the provisions of this Act are
4 declared to be severable.

5 Section 9. An emergency is hereby declared to exist, and
6 this Act shall be in full force and effect from and after the
7 date of its passage and approval.
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