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Secretary
BY Lynn & Barnes

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IN THE Senate

Senate BILL NO. 74

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA
TWENTY-FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the Auditing and Accounting procedure for the Territory of Alaska, establishing a Bureau of Budget and Purchasing Department, repealing Sections 7-1-6(b), 7-1-6(c), 7-1-6(d), 7-1-6(e), 7-1-6(f), 7-1-6(g), 7-1-6(h), 8-1-1, 8-1-2, 8-1-3, 8-1-4, 8-1-5, 8-1-6, 8-1-8, 8-1-9, 8-1-10(1), 8-1-10(9), 8-1-11, 8-1-12, 8-1-13, 8-1-14, 8-1-15, 8-1-16, 8-1-17, 10-1-1, 10-1-2, 10-1-3, 10-1-4, 10-1-5, 10-1-6, 10-1-7, 10-1-8, 10-2-2, 12-2-1, 12-2-2, 12-3-1, 12-3-2, 13-1-1, 13-1-2, 13-1-4, 14-4-1, 15-1-3, 15-1-4, 37-4-12, 48-2-18, 48-2-19, ACLA 1949 and Chapter 50, SLA 1949 and amending subsection (b) of Section 48-2-16 ACLA 1949.

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

ARTICLE I

AUDITOR

Section 1. OFFICE OF AUDITOR CREATED. The office of Auditor for the Territory of Alaska is hereby created. Said office shall be filled and its functions shall be as provided in this Act, and as otherwise prescribed by law.

Section 2. ELECTION: TIME OF TAKING OFFICE: TERM. Be-

1 ginning with the general election of 1932 an Auditor shall be
2 elected every four years. He shall take office on the first day
3 of April following his election and shall serve a term of four
4 years and until his successor is elected and qualified.

5 Section 3.. FILLING VACANCY. Whenever a vacancy occurs in
6 the office of Auditor such vacancy shall be filled by popular
7 election at the next general election held after the vacancy
8 occurs.

9 The person so elected shall take office on the first day of
10 April next after his election and shall serve until the expira-
11 tion of the term of office as fixed by this Act.

12 Until the vacancy can be filled by election, the members of
13 the two Houses of the Legislature, in joint session assembled, in
14 the manner heretofore provided for the selection of the first
15 Auditor under this Act, shall choose an Auditor.

16 When a vacancy occurs in the office of Auditor at a time
17 when the Legislature is not in session, or, if the Legislature
18 fails to elect while in session, the Governor, the Treasurer and
19 the Attorney General shall, by a majority of the three, appoint
20 some qualified person to fill the vacancy, and such appointee
21 shall serve until the person chosen by the members of the Legis-
22 lature, or elected by the popular vote, is qualified.

23 Section 4.. QUALIFICATIONS: BOND: OATH OF OFFICE. No
24 person shall be eligible to hold the office of Auditor unless he
25 is over thirty (30) years of age, is a citizen of the United
26 States, has been a bona fide resident of the Territory of Alaska
27 for at least five years immediately preceding his election or
28 appointment and shall have had at least five years of Commercial
29 of Government accounting experience.

1 Before he enters upon the duties of his office, he shall
2 furnish the Territory a bond, which shall be approved by the
3 Attorney General and filed with the Treasurer, and a copy of
4 which shall be filed in the office of the Attorney General. Said
5 bond shall be conditioned that the principal will faithfully dis-
6 charge the duties of his office; that he will keep true and
7 correct records of the doings of his office as required by law;
8 that he will properly account therefor and will deliver to his
9 successor, or other person entitled by law to receive the same,
10 all moneys or property in his hands or possession, in accordance
11 with law; or, in default, that the parties executing said bond
12 will pay to the Territory and others injured all damages, costs
13 and expenses resulting from such default. The surety on said
14 bond shall be a surety company, authorized as such to transact
15 business in the Territory, and all premiums for said Auditor's
16 bond shall be paid by the Territory. The amount of the bonds
17 shall be Twenty-five Thousand Dollars (\$25,000.00).

18 Before entering upon the duties of his office the Auditor
19 shall file with the Treasurer his oath of office to the effect
20 that he will faithfully and impartially discharge the duties of
21 his office.

22 Section 5. SEAL. The Auditor of Alaska shall have a seal
23 of office, which shall be two and one-half inches in diameter and
24 bear, just within the perimeter of the seal, the words "Seal of
25 the Auditor of the Territory of Alaska", and within the circle at
26 the top of the seal, a star, representing the North Star, beneath
27 this star the dipper made up of five stars, and beneath said
28 dipper, a quill.

29 Section 6. USE OF SEAL. The said seal shall be used in

1 the preparation of all certified or authenticated copies of origi-
2 nal records in the office of the Auditor of Alaska.

3 Section 7. POWER OF DEPUTY AUDITOR TO ATTACH SEAL. The
4 Deputy Auditor in the office of the Auditor of Alaska shall be
5 empowered to certify and authenticate copies of original records
6 in the said office in the name of the Auditor, and to attach the
7 seal provided herein to the same.

8 Section 8. SALARY. The Auditor shall receive a salary as
9 fixed by law, to be paid him in equal monthly installments, at
10 the end of each month out of any moneys in the Treasury not other-
11 wise appropriated.

12 Section 9. ALLOWANCE OF FALSE, UNJUST OR ILLEGAL CLAIMS:
13 PENALTY. If the Auditor shall allow a claim against the Terri-
14 tory which he knows to be false or fraudulent or for which there
15 is not an existing appropriation against which a warrant may be
16 drawn, except where otherwise provided by law, or knows to be not
17 a just, true or legal charge against the Territory he shall be
18 guilty of a felony and, upon conviction, shall be punished by a
19 fine of not more than Ten Thousand Dollars (\$10,000.00), or by
20 imprisonment in the penitentiary for not more than two years, or
21 by both in the discretion of the court.

22 Section 10. VERIFICATION OF CLAIMS: AUTHORITY TO ADMINISTER
23 OATHS OR TAKE ACKNOWLEDGMENTS. The Auditor shall require all
24 claims against the Territory to be verified, but this shall not
25 apply to claims for salaries fixed by law. The Auditor shall have
26 the authority to administer oaths and take acknowledgments re-
27 quired by law in matters pertaining to the duties of his office.

28 Section 11. AGENT FOR SERVICE OF PROCESS AND NOTICES. The
29 Auditor of the Territory is hereby constituted the agent of the

1 Territory of Alaska upon whom service of summons or other process
2 or notice of hearing shall be made in any action, suit or pro-
3 ceeding which may be instituted or pending in any of the courts
4 of the United States, or the Territory, or before the United
5 States Shipping Board, Interstate Commerce Commission, or any
6 bureau, board, committee, commission or officer of the United
7 States or of any of the States of the Union and in which the
8 Territory is a necessary or proper party, or in which the Terri-
9 tory or the people or a considerable part thereof are interested,
10 and when such summons, notice or other process is received by
11 the Auditor he shall promptly deliver the same to the Attorney
12 General.

13 AUDITOR, DEPUTY, DUTIES.

14 Section 12. PUBLICATION OF STATEMENTS. It shall be the
15 duty of the auditor to prepare and publish in a newspaper of
16 general circulation in the Territory, immediately following the
17 close of each fiscal year, a statement of income and expenditure
18 by funds, showing the principal sources of revenue, the function
19 or purpose for which expenditures were made, together with a con-
20 solidated statement showing similar information for all funds;
21 also a statement showing the balance in each fund at the beginn-
22 ing of the fiscal year, plus the receipts, minus the disburse-
23 ments, and the balance on hand at the close of the fiscal year
24 after deducting outstanding warrants and vouchers.

25 Section 13. REPORTS. The auditor shall make a biennial
26 report to the legislature. It shall be lawful for the auditor in
27 such report, or in any special report which he may at any time
28 think fit to make, to recommend any plans and suggestions that he
29 may think fit or worthy of adoption for the better collection,

1 custody and payment of the public moneys and the more economically
2 auditing and examining the public accounts, and any improvements
3 in the mode of keeping such accounts that may at any time be
4 brought to his notice, and generally to report upon all matters
5 relating to public accounts.

6 Section 14. REGULATIONS. The auditor, by and with the
7 approval of the attorney general, may make and publish such re-
8 gulations not inconsistent with the law as may be found necessary
9 to carry out the object and provisions of this Act, and for the
10 more effectual record, check, and audit of all receipts and dis-
11 bursements of public moneys; and such regulations shall, after
12 publication in one or more newspapers printed and published in
13 Alaska, have the force and effect of a statute law.

14 Section 15. APPROVAL OF BUSINESS AND ACCOUNTING FORMS. The
15 auditor shall determine the forms required to adequately supply
16 accounting and statistical data for the territorial government.
17 It shall be the auditor's duty to require heads of departments
18 and establishments of the territorial government to submit pro-
19 posed new forms or proposed changes in current business and
20 accounting forms for review and approval before ordering the same
21 printed. All standard territorial forms shall be classified,
22 numbered and standardized in design, dimensions, color and grade
23 of paper and recorded in a catalogue of accounting and statistical
24 forms by the auditor.

25 Section 16. Subsection (b) of Section 48-2-16 ACLA, 1949
26 is hereby amended to read as follows:

27 (b) The Tax Commissioner shall purchase and distribute
28 all forms, approved by the Auditor, necessary or useful in
29 the administration of tax, license or excise tax laws under

1 his jurisdiction.

2 Section 17. PENALTY FOR VIOLATING. Any public accountant
3 or person who shall fail or neglect to conform to any of the
4 regulations contained in this Act, or to attend the auditor for
5 the purpose of being examined or to produce any accounts, books,
6 vouchers or other documents or to answer any other lawful ques-
7 tion when required so to do by the auditor, shall be guilty of a
8 misdemeanor and liable to a penalty of not less than fifty
9 dollars, nor more than five hundred dollars, on conviction.

10 PUBLIC ACCOUNTANTS.

11 Section 18. AUDITOR TO SUPERVISE ACCOUNTS, ETC. The
12 auditor shall be the general accountant of the Territory, and it
13 shall be his duty to audit and cause to be recorded every re-
14 ceipt and disbursement of money made to, by or through the
15 treasury; and he shall have complete supervision of all terri-
16 torial accounts; and further, he shall have the power, by with-
17 holding his approval when necessary, to prevent the misappro-
18 priation of public funds, as well as the disbursement of public
19 moneys in excess of specific appropriations.

20 Section 19. PUBLIC ACCOUNTANTS DEFINED, DUTIES. All
21 persons who, by any law, regulation or appointment are charged
22 with the duty of collecting or receiving revenue or other moneys
23 on account of the Territory, or with the duty of disbursing
24 moneys on account of the public service shall become and be
25 "public accountants", and shall perform all such duties and
26 render such accounts as this Act prescribes, and as the
27 treasurer and auditor shall from time to time direct.

28 Section 20. REPORT OF CERTAIN SPECIAL MONEYS; FORMS; REGU-
29 LATIONS. All territorial officers, departments, boards, bureaus,

1 commissions or agencies collecting or receiving any moneys not
2 required by law to be deposited in the territorial treasury
3 shall report to the auditor of the Territory all such receipts
4 and disbursements on account thereof not later than the tenth
5 day of each month on such forms and under such rules and regu-
6 lations as may be prescribed by the territorial auditor.

7 Section 21. PETTY CASH FUNDS; REGULATIONS. Whenever the
8 head of any territorial department, board, bureau, commission
9 or agency shall deem it necessary to have a petty cash fund for
10 the proper transaction of the business of such department,
11 board, bureau, commission or agency; he shall make written
12 application therefor to the auditor of the Territory setting
13 forth the details covering the purposes and uses of and for such
14 fund. The auditor, before issuing a territorial warrant for
15 such purpose, shall determine whether or not the business of
16 such department, board, bureau, commission or agency warrants
17 the establishment of such a fund, and if he is satisfied that
18 such fund is necessary, he shall issue a territorial warrant to
19 such department, board, bureau, commission or agency for such
20 an amount as he shall determine, not to exceed, however, the
21 sum of one thousand dollars.

22 The auditor is hereby authorized to prescribe such rules
23 and regulations as he may deem necessary for the proper admini-
24 stration and accountability of such funds.

25 Section 22. ACCOUNTING SYSTEMS; ENFORCING THE USE OF AND
26 INSPECTION OF THE SAME. The accounting systems installed for
27 use in the offices of the auditor, treasurer and departmental
28 services of the Territory are declared to be the accounting and
29 reporting systems of the Territory. It shall be the duty of the

1 auditor to enforce the use of such systems, and it shall be his
2 duty to make inspections from time to time of the application
3 of the same; provided, however, that nothing herein contained
4 shall prohibit the auditor from making such changes and modifi-
5 cations in such systems as shall from time to time appear to be
6 in the best interest of the Territory.

7 Section 23. EXAMINING PERSONS, BOOKS. The auditor may,
8 by precept under his hand in the form prescribed by the Auditor,
9 require all such persons as he may think fit to appear personally
10 before him at any time and place to be named in such precept,
11 and to produce to him all such accounts, books and papers, in
12 the possession or control of such persons as shall appear to
13 be necessary for the purpose of their examination. It shall
14 also be lawful for the auditor when he shall so have occasion,
15 to cause search to be made and extracts to be taken from any
16 book, paper or record in the custody of any public officer
17 without paying any fee for the same; and it shall be the duty
18 of every officer having the custody of any such book, paper or
19 record to make such search and furnish such extracts as thereto
20 requested.

21 Section 24. EXAMINATION UNDER OATH. The auditor is re-
22 quired to examine upon oath, which oath he is empowered to ad-
23 minister, all persons whom he shall think fit to examine touch-
24 ing the receipts and expenditures of money, and touching all
25 other things and matters necessary for the due execution of the
26 powers vested in him by this chapter.

27 Section 25. PENALTY FOR FALSE EVIDENCE. If any person
28 shall, in the course of his examination before the auditor,
29 wilfully and corruptly give false evidence, such person so

1 offending shall incur the same penalties as are or may be pro-
2 vided against persons convicted of perjury.

3 PAYMENTS INTO TREASURY.

4 Section 26. BY ALASKA ACCOUNTANTS. Every person collect-
5 ing or receiving revenue or other moneys aforesaid in the Terri-
6 tory of Alaska shall pay weekly, or at such times as may be
7 otherwise specially appointed, into the treasury all sums of
8 money collected or received by him on account of the revenue or
9 otherwise as aforesaid, accompanied by vouchers bearing his
10 signature, and which such sums shall have been collected or re-
11 ceived, and unless otherwise specially directed, shall not later
12 than the fifth day after the expiration of each month, transmit
13 to the auditor a return in the form prescribed by the Auditor,
14 with such particulars in each case as may be required by the
15 auditor, of all moneys collected or received by him during the
16 preceding month, and shall make and subscribe to an oath in the
17 form prescribed.

18 Section 27. BY ACCOUNTANTS OUT OF ALASKA. Every person
19 collecting or receiving revenue or other moneys as aforesaid
20 outside the Territory of Alaska shall transmit or pay monthly,
21 or at such times as may be otherwise specially appointed, into
22 the treasury all sums of money collected or otherwise received
23 by him on account of the revenue or otherwise as aforesaid,
24 accompanied by vouchers bearing his signature, and containing a
25 full and accurate description of the services for which such
26 sums shall have been collected or received, and unless otherwise
27 specially directed, shall, on or before the tenth day after the
28 expiration of each month, transmit to the auditor, by post or
29 otherwise, a return in the form prescribed by the Auditor, with

1 such particulars in each case as may be required by the auditor,
2 of all moneys collected or received by him during the preced-
3 ing month, and shall make and subscribe an oath in the form
4 prescribed.

5 Section 28. DEPOSITS. Every person, other than the
6 Treasurer, receiving money belonging to the Territory will
7 deposit the said money to the credit of the Treasurer in such
8 banks as the Treasurer may designate.

9 Section 29. DEPOSITS OF MONEY IN BANKS; CONDITIONS. All
10 moneys in the territorial treasury belonging to the Territory,
11 may be deposited by the treasurer to the credit of the Terri-
12 tory, in such national banks, or in such banks doing business
13 under the laws of the Territory, as the treasurer may select,
14 and any sums so deposited shall be deemed to be in the terri-
15 torial treasury; provided, that the banks in which such money
16 is deposited shall furnish security as hereinafter provided;
17 and provided, that in selecting a depository bank the class of
18 security offered shall be considered as the basis of selection
19 and due regard shall be given to banks doing business in the
20 Territory, or such parts thereof, where the disbursements of
21 public money are or may be made; provided, that no more than
22 fifty per centum of the aggregate amount of moneys of the Terri-
23 tory available for deposit and on deposit shall be deposited
24 in any one bank. The expense of transporting the money so
25 deposited shall be borne by the depositories. All deposits of
26 money, except time deposits shall be paid upon demand on checks
27 signed by the treasurer and countersigned by the auditor, or by
28 the payment of a certificate of deposit issued by the depository,
29 which certificate shall be endorsed by the payee named therein

1 as well as by the auditor.

2 Section 30. INTEREST. If any money deposited by the
3 treasurer under the provisions of this Act shall belong to any
4 special fund, then any interest received on the same shall be
5 paid into and credited to such special fund.

6 Section 31. SECURITY FOR FUNDS DEPOSITED. For the
7 security of funds deposited by the treasurer under the provis-
8 ions of this Act there shall be deposited with the treasurer;

9 1. Bonds of the United States or of any city of the
10 Territory, or any district improvement, bonds of any such
11 city, to an amount at least equal in their market value,
12 not exceeding their par value, to the amount of the
13 deposit with such banks; or,

14 2. Warrants or warrant notes of the United States to
15 an amount at least equal in their face value to the amount
16 on deposit with such banks;

17 3. Such industrial or other bonds as are accepted by
18 the courts of the Territory for investment of trust funds
19 and approved by the treasurer to an amount in value at
20 least twenty-five per centum in excess of the amount of the
21 deposit of such banks, provided, however, that any of such
22 bonds held for or on behalf of the Territory in such nation-
23 al or state bank or banks in the continental United States
24 as the treasurer may select, and subject to his order,
25 shall be deemed to be deposited with the treasurer under
26 the provisions of this section.

27 4. Bonds of any city of the continental United States
28 to an amount at least equal in their face value to the
29 amount on deposit with such banks.

1 When the value of any bond of any city of the continental
2 United States, or of any industrial bond, upon open market,
3 shall be less than the par value of such bond, then the value
4 thereof for the purpose of this Act shall be the market value
5 of the same, otherwise such value shall be the par value of
6 the same. If in any case or at any time any bonds or warrants
7 or warrant notes are not deemed satisfactory security by the
8 treasurer, he shall require such additional security as may be
9 satisfactory to him.

10 Such bonds, warrants or warrant notes, or any part thereof,
11 may be withdrawn; provided, that the required amount of bonds,
12 warrants or warrant notes to secure deposits shall be kept in
13 the treasury. In the event that the bank of deposit shall fail
14 to pay such deposits, or any part thereof, upon presentation of
15 a check or certificate of deposit properly endorsed, as herein
16 provided, then it shall be the duty of the treasurer to forth-
17 with convert such bonds, warrants or warrant notes into money,
18 and to disburse the same according to law; provided, however,
19 that he shall sell no bonds, warrants or warrant notes, except
20 at public auction, after giving at least ten days' notice by
21 publication in some newspaper of general circulation in the
22 Territory.

23 Section 32. CONTRACT WITH DEPOSITORIES; STATEMENTS; ACCESS
24 TO SECURITIES. The Treasurer shall enter into a written contract
25 with such depository or depositories, in triplicate, setting
26 forth the conditions and terms upon which the funds of the
27 Territory are deposited therewith, one of which shall be re-
28 tained by each of the contracting parties and the third filed
29 with the auditor. One provision of such contract shall be that

1 the depository shall at the end of each month render to the
2 treasurer a statement in duplicate, showing the daily balances
3 and amount of money of the Territory held by it during the
4 month, one of which shall be filed by the treasurer with the
5 auditor. The treasurer shall annually, on July 1, furnish each
6 depository bank with a statement showing the amount and descrip-
7 tion of the bonds on deposit with him by such bank to secure
8 the deposits of the Territory, duly certified by the auditor.

9 The duly authorized representatives of any depository
10 shall at all times during office hours have access to the
11 securities or security deposited for the purpose of examining
12 the same and removing such coupons as may have matured, such
13 examination to be made in the presence of the treasurer or his
14 representative.

15 Section 33. INDEMNITY BOND FROM DEPOSITORY. The treasurer,
16 shall, if in his judgment it shall appear necessary for the
17 security of the Territory, require the bank of deposit to give
18 indemnity bonds, the sureties on which shall not be interested
19 as stockholders in such banks, to be approved by the Attorney
20 General and treasurer to secure the Territory against the loss
21 of any depreciation in value that may occur in the bonds held
22 by him as security for the safe keeping and prompt payment of
23 the money of the Territory in such depositories.

24 Section 34. INTEREST RATE. The Territorial Banking Board
25 at a regular or special meeting of the said board shall establish
26 a rate of interest the banks in which Territorial funds are
27 deposited shall pay, and such interest when paid shall be cover-
28 ed into the treasury.

29 Section 35. AUDITOR TO ENFORCE PAYMENTS, COLLECTIONS. The

1 auditor, upon the receipt by him of the returns required to be
2 furnished by public accountants, billing, receiving or collect-
3 ing moneys as hereafter in this Act provided, shall examine and
4 compare the same with the schedule of accounts receivable, cash
5 receipts and with the accompanying vouchers and documents, if
6 any, and shall allow and discharge every public accountant for
7 all sums shown to have been by him respectively received or
8 collected and duly paid into the treasury, and shall disallow
9 and surcharge such public accountant for all sums wilfully or
10 negligently omitted to be received or collected by him, which
11 under any law or regulation, it was his duty to receive or
12 collect, and all sums not duly paid by him into the treasury,
13 and such unsatisfied surcharges shall be by him enforced against
14 such public accountant.

15 Section 36. POWERS IN EXAMINATION. In the examination of
16 all territorial accounts and statements, and all other documents
17 produced as vouchers, or as subordinate vouchers, the auditor
18 shall make such queries and observations addressed to public
19 accountants, officers certifying accounts, or persons in any way
20 concerned with the receipt or disbursement of the moneys or
21 funds referred to in this Act, and shall call for such further
22 accounts, vouchers, statements and explanations as he may think
23 necessary, and after such queries and observations have been
24 answered, and after such further accounts and explanations have
25 been rendered, the auditor shall disallow and surcharge all sums
26 not duly credited to the proper fund and paid into the treasury,
27 and shall disallow and surcharge all sums disbursed in excess
28 or not duly vouched and authorized, against such public account-
29 ant, officers certifying accounts, or other persons through

1 whose default such surcharges have arisen, and until such fail-
2 ure shall have been made good to the satisfaction of the auditor,
3 all salary or other moneys that may be due and payable to such
4 public accountant or other person shall be withheld.

5 Section 37. RECEIPTS AND PAYMENTS. For all moneys paid
6 into the treasury there shall be prepared three receipts, two
7 of which shall be signed for the money, which shall be alike,
8 excepting that upon the face of one of them shall appear the
9 word "original" and on the others the words "duplicate" and
10 "triplicate", respectively. Such receipts shall specify the
11 amount and from what person or officer received and into what
12 fund or what account deposited. On the triplicate copy of such
13 receipt shall be entered a memorandum of the contents thereof,
14 and the treasurer shall deliver both the original and duplicate
15 receipts to the person or official paying the money into the
16 treasury. Such officer or person shall forthwith present both
17 receipts to the auditor, who shall countersign the original
18 receipt and file the duplicate, after writing upon its face the
19 day of its delivery to him, and charging the treasurer with the
20 amount specified therein, and crediting the fund or account
21 named thereon. No such receipt shall be considered valid or
22 binding as against the Territory, unless so countersigned as in
23 this Act before provided. In the event the receipt is to be
24 mailed, the Treasurer will present the original and duplicate
25 to the auditor for countersignature, who, upon signing, will
26 mail the receipt to the payer.

27 WARRANTS ON TREASURY.

28 Section 38. MONEY DRAWN ONLY ON. No money shall be drawn
29 from or out of the treasury except upon warrants substantially

1 in the form of section 51 issued from the auditor's office.
2 Every such warrant shall be signed by the auditor or his deputy
3 or by means of any mechanical check signer that may be adopted
4 by the auditor, and shall be made payable upon such date as may
5 be approved by the treasurer to the order of the person to whom
6 the Territory is directly indebted.

7 Section 39. SALARIES, PENSIONS. All warrants for settle-
8 ments, and all salaries, shall be drawn by the auditor, payable
9 to each individual to whom the Territory is directly indebted,
10 except as provided for in section 42. No settlements nor salary
11 warrants shall be paid by the treasurer until the person in
12 whose favor the warrant is drawn shall have indorsed his signa-
13 ture thereon.

14 Section 40. SUPPLIES, INCIDENTALS. Warrants for bills of
15 material, supplies and incidentals of every kind and character
16 whatsoever, shall be made payable to the order of each indivi-
17 dual person to whom the Territory is indebted, except as provid-
18 ed in section 42, and only after a detailed statement of all such
19 bills shall have been presented to the auditor accompanied by
20 all original vouchers. Such statement shall have indorsed there-
21 on the approval of the officer in whose department the liability
22 or expense has been incurred, and the appropriation to which it
23 is chargeable; and further, each original voucher shall be
24 specially certified to by the subordinate officer of the Terri-
25 tory directly incurring such liability or expense, and that all
26 such materials, supplies and incidentals have been received in
27 good order and condition.

28 Section 41. ON ACCOUNT OF CONTRACTS. All warrants for
29 bills on account of territorial contracts either as a whole or

1 In part, shall be made payable to the order of the person to
2 whom the Territory is directly indebted, except as provided in
3 section 42, and only after all such bills shall have indorsed
4 thereon the approval of the officer in whose department such
5 contracts shall have been made, and also specially certified
6 to by the sub-ordinate officer of the Territory supervising
7 the work performed, or receiving the materials and supplies as
8 specified in the contracts, that the work has been faithfully
9 performed and that the materials and supplies were in a good
10 and merchantable condition when received; and no such warrant
11 shall be issued unless a copy of the contract or bid shall have
12 been filed with the auditor and approved by the attorney general,
13 together with a statement by the head of the department or
14 bureau that made the contract or accepted the bid, naming the
15 appropriation to which the contract or bid is to be chargeable.

16 Section 42. TO ASSIGNEES. In case the individual person
17 to whom the Territory is directly indebted, shall indicate in
18 writing over his signature on his bill or receipt, the name of
19 any person to whose order he may wish the amount of the bill
20 paid, it shall be lawful for the auditor to draw the warrant
21 for such amount payable to the order of the person so indicated.

22 Section 43. AUDITOR TO KEEP LIST OF SALARIES, CONTRACTS,
23 BIDS, ETC.. The auditor shall keep in his office in a conven-
24 ient form for easy reference, a correct list of all territorial
25 permanent settlements, specific salaries, pay rolls, subsidies,
26 rents, contracts and all bids for material and supplies, and
27 prices current wholesale and retail of same; and in auditing all
28 bids for service rendered or merchandise supplied, or other bills
29 against the Territory, he shall compare all rates and prices

1 charged with the list aforesaid, and strike out or surcharge
2 all amounts in excess of the current rates and prices, as shown
3 by the list, or that in his judgment are excessive.

4 Section 44. BOOKKEEPING. The auditor shall keep a complete
5 set of double entry books in which he shall open or cause to be
6 opened, all government accounts, and for the several amounts
7 as shown by the appropriation bill, or any other appropriation
8 that may be at any time made by the legislature, and he shall
9 record his daily business transactions in detail therein. He
10 shall also keep ledgers in which he shall open, arrange and keep
11 in a methodical and systematic manner the various territorial
12 accounts so that the status and condition of all funds and appro-
13 priations, of all assets and liabilities, and of all income and
14 expenditures of the Territory may at any time be ascertained
15 and known; and further, he shall keep books to be known as the
16 warrant registers showing the warrants drawn. The warrants are
17 to be numbered, from one up to the number required for the
18 current biennial period, and in the form as shown in section 51,
19 and all such other auxiliary books as he may deem necessary for
20 a correct and proper administration of his office. He shall
21 also keep on file in a convenient form for easy reference, all
22 bills and vouchers for which warrants have been drawn by him,
23 and the bills and vouchers shall have endorsed thereon the
24 number of the warrant by which they were paid, the date of the
25 warrant, the appropriation and activity to which they were
26 debited, and the amount.

27 APPEAL FROM AUDITOR, ETC.

28 Section 45. TO BOARD OF APPEALS. In case of any question
29 or difference of opinion arising between the auditor and any

1 officer of the Territory regarding the proper appropriation to
2 which any item or amount of expense shall be charged, and in
3 all cases where a sum of money shall be disallowed by the auditor
4 in consequence of the absence of a written voucher, or upon an
5 imperfect voucher or an incorrect certificate, or if any person
6 feel aggrieved by any decision of the auditor, in the rejection
7 or the surcharge of the returns or refusal to approve or allow
8 any demand presented by such person, any of the persons concern-
9 ed may appeal from such decision to the Board of Appeals, who
10 after such investigation as shall by them be considered equit-
11 able, may make such order directing the relief of the appellant
12 in whole or in part as shall appear to the Board to be just and
13 reasonable, and the decision of the Board shall be final and
14 binding upon all parties, and they shall govern themselves
15 accordingly. If the demand of the officer, bill, claim of any
16 person, or the return of any public accountant be approved, in
17 whole or in part by the Board, they shall so indorse their find-
18 ings on the same and it shall thereafter be presented to the
19 auditor, who shall enter it in the proper book in like manner
20 as other demands and an indorsement must be made by the auditor
21 of its having been so entered before it can be paid.

22 Section 46. VOUCHERS REQUIRED; PROCEDURE IF NOT OBTAINABLE.

23 The auditor shall not recognize any claim of whatsoever nature
24 unless a written statement or voucher be presented for the same.
25 No warrant shall be issued in payment for any claim except upon
26 proper indorsement of such voucher, notwithstanding any allega-
27 tion of papers having been lost or destroyed, or of the impossi-
28 bility of obtaining the prescribed voucher, so that it could
29 not reasonably be obtained.

PAYMENTS OUT OF TREASURY.

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2 Section 47. TREASURER TO KEEP CASH BOOK. The treasurer
3 shall keep in his office a cash book in which shall be entered
4 up all sums received and paid out of the treasury on account of
5 the several departments and bureaus of the Territory.

6 Section 48. APPROPRIATIONS LAPSE WHEN. Unless otherwise
7 provided by law all sums of money which shall be appropriated
8 to the public service for any biennial period, and which shall
9 not be expended during such period, shall lapse, and shall not
10 be issued or applied in any future biennial period to the parti-
11 cular service for which the appropriation shall have been so
12 made, unless a contract or engagement shall have been made and
13 entered into before the expiration of such biennial period by
14 which a liability so to issue or apply the same shall have been
15 incurred, and a certified copy of which contract or engagement
16 shall have been deposited with the auditor.

17 Section 49. AUTHORIZING AUDITOR TO CLOSE ACCOUNTS. In all
18 cases where an appropriation of public money is made, and an
19 unexpended balance remains to the credit of such appropriation
20 on the books of the auditor after the purposes of such appropria-
21 tion have been accomplished, or after the time has expired with-
22 in which those purposes may be accomplished, or after a time
23 when the reasons for such appropriation have ceased to exist,
24 the auditor, upon the receipt of a certificate from the head of
25 the department or other public officer who is charged with the
26 duty of expending such appropriation, stating that all outstand-
27 ing accounts against such appropriation have been fully paid
28 and satisfied, may, with the written approval of the governor,
29 close out such appropriation account and transfer the unexpended

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balance to the credit of the unappropriated surplus of the fund from which the appropriation was made.

Section 50. WARRANTS BARRED WHEN. No warrant upon the territorial treasury shall be paid unless presented at the treasury for payment before the close of the biennial period next after the biennial period in which it shall have been issued. All warrants not so presented within such time shall be deemed to have been paid, and any moneys held at the expiration of such time in a special fund or account for the payment of such warrants shall thereupon be transferred to the general funds.

Section 51. TREASURY WARRANT.

No.....

Treasury Warrant.

Juneau, Alaska.....19...

The Treasurer, Territory of Alaska.

Pay to the order of.....

for and charge same to.....

Auditor, Territory of Alaska.

COUNT OF MONEY, ETC.

Section 52. COUNT OF MONEY AND SECURITIES IN TREASURY.

The Tax Commissioner, the director of the bureau of the budget and the auditor shall, on the last day of March, June, September and December of each year, and at such other times as they deem proper, count the money and securities in the territorial treasury and prepare, in triplicate, statements showing:

- 1. The amount of money that ought to be in the treasury;

Department of Establishment

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2. The amount and kind of money actually therein;
3. The amount of securities owned by the Territory that ought to be in the treasury;
4. The amount of securities owned by the Territory actually in the treasury;
5. The amount of depository securities that ought to be in the treasury;
6. The amount of depository securities actually in the treasury.

Section 53. STATEMENTS OF COUNT TO BE FILED. They shall file the original copy of the statement with the Governor; duplicate with the treasurer and the auditor shall post and maintain the triplicate copy in his office for at least one month thereafter.

ARTICLE II BUDGET BUREAU

Section I. DEFINITIONS. When used in this Act, the terms "department and establishments" and "departments" or "establishments" mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the territorial government (excepting the legislature), or any quasi-public institution which is supported in whole or in part by territorial funds. The term "budget" means the budget required to be transmitted to the legislature. The term "bureau" means the bureau of the budget. The term "director" means the director of the bureau of the budget. The term "government" means the government of the Territory.

Section 2. BUREAU OF THE BUDGET, DIRECTOR. There is created a bureau to be known as the bureau of the budget. The

1 bureau shall be in charge of a director, who shall be appointed
2 by the unanimous selection of the Auditor, Treasurer and the
3 Attorney General, and receive a salary as shall be appropriated.
4 The bureau shall prepare the budget for the Governor, and any
5 supplemental or deficiency estimates, and to this end shall
6 have authority to assemble, correlate, revise, reduce or in-
7 crease the estimates of the several departments or establish-
8 ments, under such rules and regulations as the Governor may
9 prescribe and subject to the provisions of this Act.

10 The director shall, on or before the beginning of each
11 biennium, secure from each department, bureau, commission and
12 Agency of the Government their request, on a form provided, for
13 allotment of their appropriation. The operation and maintenance
14 expenses and outlays shall be allotted into quarterly periods,
15 except appropriations for land, structures, and permanent im-
16 provements to land which allotments shall be for the estimated
17 cost of the project.

18 The director shall make such allotments as are found to be
19 adequate to carry out the departmental program and still be
20 proportionate with the amount required from the appropriation
21 for the remaining part of the biennium. The auditor is required
22 to limit expenditures to the amount approved and allotted by the
23 Budget Bureau.

24 The director shall appoint and remove all employees of the
25 bureau, and in all respects be responsible for the proper con-
26 duct and business administration of the bureau within the appro-
27 priations made therefor. The compensation of such employees
28 shall be fixed by the director.

29 Section 3. INVESTIGATORS OF DEPARTMENTS AND ESTABLISHMENTS

1 The director shall have the power and it shall be his duty to
2 investigate continuously the administration of the various
3 departments and establishments for the purpose of advising and
4 recommending to the committees of the legislature concerning
5 the duties of the various positions in said departments, the
6 methods of said departments, the standards of efficiency there-
7 in, and such changes as in his judgment will produce greater
8 economy and effectiveness in the conduct of the government and
9 assist in the preparation of the budget and appropriation acts.

10 Section 4. INFORMATION FOR GOVERNOR AND LEGISLATURE. The
11 director shall keep the governor advised concerning findings of
12 investigations of departments and particularly the fiscal opera-
13 tions of the entire government. Any member or committee of
14 either House of the legislature shall be furnished by the
15 director with such information concerning the government as may
16 be requested in writing.

17 Section 5. INFORMATION FOR BUREAU. Under such regulations
18 as the governor may prescribe, (1) every department and establi-
19 shment shall furnish to the bureau such information as the bureau
20 may from time to time require, and (2) the director or any
21 employee of the bureau when duly authorized, shall, for the
22 purpose of securing such information, have access to, and the
23 right to examine, any books, documents, papers, or records of
24 any such department or establishment.

25 Section 6. CLAIMS FOR LEGISLATIVE RELIEF MUST BE FILED
26 WITH; CONDITIONS. All claims for refunds, reimbursements or
27 other payments, authorization for which is sought from the
28 legislature, shall, as a condition to their being considered by
29 the legislature, be filed in duplicate with the director of the

1 bureau of the budget at least thirty days prior to the conven-
2 ing of the legislature, together with duplicates of all data
3 and documents in support thereof. In the absence of a showing
4 of sufficient reason therefor, failure to comply with the pro-
5 visions of this paragraph shall be deemed sufficient cause for
6 refusal of the legislature to consider such claims.

7 It shall be the duty of the director immediately upon re-
8 ceipt thereof to refer any such claim and data so received by
9 him to the head of the department, bureau, board or commission
10 concerned, and it shall be the duty of such person to whom such
11 reference is made immediately to investigate the claim, secure
12 in duplicate all available data and documents bearing thereon,
13 and prior to the convening of the legislature refer the same
14 back to the director with his recommendations thereon. It shall
15 be the duty of the director, within five days after the opening
16 of the session, to transmit such claims, together with all
17 accompanying data so presented, to the committee on ways and
18 means of the senate and the committee on finance of the house of
19 representatives.

20 Section 7. DEPARTMENTAL ESTIMATES. At such time as the
21 director may prescribe, but not later than October 15, preceding
22 each biennial session of the legislature, each board or officer
23 at the head of any department or quasi-public institution which
24 is supported in whole or in part by territorial funds, shall sub-
25 mit to the director on forms and in the manner prescribed by
26 him, a detailed estimate of the amount of money required to be
27 appropriated for the next ensuing biennium for the proper conduct
28 of the department, or institution, under his control, and the
29 number of employees for which provision is made. The classifica-

1 tion of these estimates shall be as prescribed by law and shall
2 be so presented as to show in addition to the amount which is
3 estimated to be required:

4 (a) The actual expenditures for the last completed bienn-
5 ium; and

6 (b) The estimated expenditures for the biennium in progress,
7 together with such summaries, schedules and supporting data as
8 may be prescribed by the director.

9 Any department head whose estimate provides for increases
10 over the appropriation of the previous biennium for his depart-
11 ment shall indicate the order of the immediate importance of such
12 increases. After consultation with the head of a department the
13 director may refer the estimate of such department head back to
14 him with instructions to prepare a revised estimate on the basis
15 of a minimum sum for the department. Said head of a department
16 shall present such revised estimate to the director on or before
17 such date as the latter may prescribe. In the event of failure
18 to receive estimates from any department head by the prescribed
19 dates, the director shall prepare such estimates and data as are
20 necessary to enable the governor to include estimates and state-
21 ments in respect to the work of such departments in the budget.

22 Section 8. AUDITOR'S AND TAX COMMISSIONER'S ESTIMATES OF
23 INCOME. On or before October 15 preceding each biennial session
24 of the legislature, the territorial auditor shall submit to the
25 director an estimate of the receipts for such next ensuing bi-
26 ennium to be derived from all sources other than taxes, indicat-
27 ing on separate forms the fund account to which they apply; and
28 likewise, the territorial tax commissioner shall submit an esti-
29 mate of all tax collections for the same period under existing

laws.

1
2 Section 9. GOVERNOR TO TRANSMIT BUDGET TO LEGISLATURE;
3 CONTENTS. The governor shall transmit to the legislature on
4 the first day of each regular session, and to each of the members
5 thereof, not less than twenty days before the legislature con-
6 venes, the budget which shall contain:

7 (a) A statement showing the estimated condition of the
8 treasury at the close of the biennium in progress;

9 (b) A statement of the estimated condition of the treasury
10 at the close of the ensuing biennium if the financial proposals
11 contained in the budget are adopted;

12 (c). Such other financial statements and data as in his
13 opinion are necessary or desirable in order to make known in all
14 practical detail the financial condition of the government;

15 (d) A summary of general fund receipts arranged alphabeti-
16 cally by departments showing actual receipts for the last three
17 completed biennial periods, the estimated receipts for the bi-
18 ennium in progress and the estimated receipts for the ensuing bi-
19 ennium;

20 (e) Detail of general fund receipts by departments showing
21 actual receipts for the last three completed biennial periods,
22 the estimated receipts for the biennium in progress and the esti-
23 mated receipts during the ensuing biennium and for the tax
24 commissioner's department, showing the percentage of all estimat-
25 ed tax receipts which the estimated receipts from each tax consti-
26 tute;

27 (f) A summary of general fund appropriations for the en-
28 suing biennium arranged alphabetically by departments and showing
29 the number of employees and classification of appropriations;

1 (g) A summary of general fund expenditures and appropria-
2 tions arranged alphabetically by departments and showing:

3 (1) Actual expenditures for the last completed
4 biennium;

5 (2) Estimated expenditures for the biennium in
6 progress;

7 (3) Appropriations for the biennium in progress;

8 (4) Departmental requests for the ensuing biennium;

9 (5) The increases or decreases of the estimates for
10 the ensuing biennium over or under the appropriations for
11 the biennium in progress.

12 (h) Details of general fund expenditures and appropria-
13 tions arranged alphabetically by departments and showing the
14 number of employees and proposed amounts of appropriations for
15 items of salaries, other expenses, equipment, capital outlay
16 and special purposes, and showing:

17 (1) Actual expenditures for the last completed
18 biennium;

19 (2) Estimated expenditures for the biennium in progress;

20 (3) Appropriations for the biennium in progress;

21 (4) Departmental requests for the ensuing biennium.

22 (i) A functional statement of proposed appropriations and
23 expenditures;

24 (j) A balanced summary by departments of estimated receipts
25 and expenditures under all special expendable funds for the bi-
26 ennium in progress and for the ensuing biennium;

27 (k) A balanced statement by departments showing total
28 actual receipts and total actual expenditures under each special
29 expendable fund during each of the last three completed biennial

1 periods; the estimated receipts and expenditures for the bi-
2 ennium in progress and the estimated receipts and expenditures
3 during the ensuing biennium; and

4 (1) A detail statement of actual expenditures under each
5 special expendable fund for the last completed biennium, and of
6 the estimated expenditures for the biennium in progress and the
7 ensuing biennium respectively showing the number of employees
8 and the classification of expenditures for items of salaries,
9 expenses, equipment, capital outlay and special purposes.

10 Said budget shall contain an item to be known as the "con-
11 tingent fund", which sum shall be available for allocation by
12 the Board of Administration during the ensuing biennium to meet
13 contingencies as they arise.

14 The budget shall be printed, with a reasonable number of
15 copies for public distribution. Said budget shall cover all
16 funds and moneys deposited in the territorial treasury and ex-
17 pended on territorial warrants; provided, however, that a detail-
18 ed budget of each department specifically given control over re-
19 cepts not deposited in the territorial treasury shall be printed
20 with and appended to the said budget. All items of receipts,
21 and of proposed and past expenditures, in said budget shall be
22 shown to the nearest dollar, omitting cents.

23 Section 10. RECOMMENDATIONS OF THE GOVERNOR ACCOMPANYING
24 BUDGET. 1. If the estimated receipts for the ensuing biennial
25 period contained in the budget, on the basis of laws existing
26 at the time the budget is transmitted, plus the estimated amounts
27 in the treasury at the close of the biennial period in progress,
28 available for expenditure in the ensuing biennial period are less
29 than the estimated expenditures for the ensuing biennial period

1 contained in the budget, the governor, in his message trans-
2 mitting the budget, shall make recommendations to the legisla-
3 ture for new taxes, or other appropriate action to meet the
4 estimated deficiency;

5 2. If the aggregate of such estimated receipts and such
6 estimated amounts in the treasury is greater than such estimated
7 expenditures for the ensuing biennial period, he shall make such
8 recommendations as in his opinion the public interests require.

9 Section 11. SUPPLEMENTAL OR DEFICIENCY ESTIMATES. 1. The
10 governor from time to time may transmit to the legislature
11 supplemental or deficiency estimates for such appropriations or
12 expenditures as in his judgment may be necessary on account of
13 laws enacted after the transmission of the budget, or are other-
14 wise in the public interest. He shall accompany such estimates
15 with a statement of the reasons therefor, including the reasons
16 for their omission from the budget;

17 2. Whenever such supplemental or deficiency estimates
18 reach an aggregate which, if they had been contained in the
19 budget, would have required the governor to make a recommenda-
20 tion under subdivision 1, of Article II, section 10, he shall
21 thereupon make such recommendation.

22 Section 12. DETAILS OF ALL APPROPRIATIONS AS RECOMMENDED
23 TO ACCOMPANY THE BUDGET. The budget and estimates for lump sum
24 appropriations contained in the budget or transmitted under
25 Article II, section 11, shall be accompanied by statements show-
26 ing, in such detail and form as may be necessary to inform the
27 legislature, the manner of expenditure of such appropriations
28 and of the corresponding appropriations for the biennial period
29 in progress and the last completed biennial period. Such state-

1 ments shall be in lieu of any other statements of like character.

2 Section 13. ESTIMATES OR REQUESTS: NOT SUBMITTED BY DEPART-
3 MENT OFFICERS OR EMPLOYEES EXCEPT BY REQUEST. No estimate or
4 request for an appropriation and no request for an increase in
5 an item of any such estimate or request, and no recommendation
6 as to how the revenue needs of the government shall be met,
7 shall be submitted to the legislature, or any committee thereof,
8 by any officer or employee of any department or establishment,
9 unless at the request, by majority vote, of either the senate
10 or the house of representatives.

11 Section 14. NO EXPENDITURES TO BE MADE FOR ITEMS NOT
12 SPECIFICALLY AUTHORIZED BY THE LEGISLATURE OR THE GOVERNOR. No
13 head of a department shall expend or be allowed to expend any
14 sum for any purpose whatsoever not specifically authorized by the
15 legislature, and where distribution or expenditures are made
16 under lump sum appropriations, the head of each department shall
17 be governed in making such distribution or expenditures by any
18 authority of the legislature, and in the absence of such legis-
19 lative authority shall be governed by the authority and approval
20 of the governor.

21 ARTICLE III

22 UNIFORM PURCHASING SYSTEM.

23 Section 1. SUPPLIES DIVISION. There is created a supplies
24 division in the Bureau of Budget for the purchase of and account-
25 ing for all governmental supplies and equipment for the Terri-
26 torial departments, boards, commissions and offices.

27 Section 2. DIRECTOR'S DUTIES. It shall be the duty of the
28 director to prepare and keep a separate consolidated record for
29 each department, board, commission or office of the Government

1 having the care, custody or control of any territorial property
2 and held on a memorandum receipt, and to effect an annual settle-
3 ment on July 1st of each year with each person holding property
4 on memorandum receipt.

5 Section 3. RESPONSIBILITY OF OTHERS. The head of every
6 department, board, commission or office of the Territory shall
7 be responsible for all territorial property pertaining to his
8 office or department, whether he receipts for the same or not
9 and shall not transfer his responsibility therefor to a successor
10 during short periods of absence unless with the written consent
11 of the Governor. Shortages occurring during the administration
12 of one person shall not be the responsibility of his successor.

13 Section 4. RULES. The Director and Auditor by rule and
14 regulation shall prescribe the classes of property, whether ex-
15 pendable or not; and provide for the action to be taken in case
16 of lost, damaged, destroyed, unserviceable or unsuitable property,
17 and may likewise provide for the transfer of any property between
18 the several departments, commissions, boards or offices of the
19 Territorial Government.

20 ARTICLE IV

21 INVENTORY AND DISPOSAL OF TERRITORIAL PROPERTY.

22 Section 1. BY TERRITORIAL OFFICERS. It shall be the duty
23 of the heads of all departments, boards, commissions and offices
24 of the Territory and all other persons and boards of a public
25 character having in their custody or under their control in any
26 wise using property belonging to the Territory, in the month of
27 July of each year to prepare and file a return or inventory,
28 sworn to before a person authorized by law to administer oaths,
29 containing a full, true and corrected list by detailed items of

1 all property, of whatsoever nature, (as of July 1 of the year
2 for which such return is made) belonging to the Territory and
3 in the possession, custody, control or use of the officer so
4 making such return or of the department of the government over
5 which he presides or of any officer, agent or employee serving
6 in such department or under such returning officer, and contain-
7 ing further opposite each item a statement of the full cash
8 value of the property therein named according to the best know-
9 ledge, information and belief of the officer making such return.
10 It shall also be the duty of the officer making such return to
11 similarly file a copy of such sworn inventory with the board of
12 disposal of the Territory, accompanied, however, by detailed
13 separate statements, under oath, of those items of property ac-
14 quired, and those disposed of, during the year elapsed since the
15 inventory made as of the last preceding July 1.

16 Section 2. AUDITOR'S DUTY. It shall be the duty of the
17 auditor of the Territory to ascertain if inventories have been
18 filed as required. Should any officer, head of department,
19 agent, employee or other person fail to file the required invent-
20 ory within the time prescribed, the auditor shall withhold the
21 salary or wage due such officer, head of department, agent,
22 employee or other person until such inventory be filed.

23 Section 3. FORMS OF INVENTORIES. It shall be the duty of
24 the auditor of the Territory to prepare a general form upon
25 which the inventories required under the provisions of Article IV,
26 section 1, shall be made. The auditor shall have such forms
27 printed and, prior to June 1 in each year, shall mail to each
28 officer required under the provisions of Article IV, section 1,
29 to file an inventory, such number of such forms as may be re-

1 requisite to enable him to properly make such inventory, and the
2 auditor shall at the same time call to the attention of such
3 officer, in writing, the requirements of this Act.

4 It shall also be the duty of the auditor of the Territory
5 to enter in one or more books to be kept for the purpose and to
6 be available at all times for inspection by any taxpayer, all
7 of the property and valuations named in such inventories, as so
8 added to, revised and corrected as aforesaid and classified for
9 convenience and facility of reference.

10 Further it shall be the duty of the auditor to charge the
11 amounts of the inventories to proper accounts on the general
12 ledgers of the Territory so that the values of the properties
13 shall be shown and appear at all times in the balance sheet of
14 the books of the Territory.

15 It shall be the duty of the superintendent of public works
16 at all times to advise or assist the auditor in the valuation of
17 all property belonging to the Territory.

18 Section 4. PENALTY; JURISDICTION. Any officer, member of
19 a board of public character, assessor or other person who shall
20 fail to perform any of the duties imposed upon him by this Act
21 shall be deemed guilty of a misdemeanor and shall be punished
22 by a fine not exceeding five hundred dollars or by imprisonment
23 for not exceeding six month, or both such fine and imprisonment.

24 DISPOSAL OF TERRITORIAL PROPERTY.

25 Section 5. PROHIBITED, EXCEPT WHEN. Except as provided in
26 Article III, section 4, no personal property belonging to the
27 Territory shall be sold, exchanged or otherwise disposed of ex-
28 cept in accordance with the provisions of this Act.

29 Section 6. PROCEDURE FOR SALE, ETC. Whenever any officer

1 or employee of the Territory having the control of any such pro-
2 perty is desirous of selling, exchanging or otherwise disposing
3 of the same, he shall make written application to the director
4 of the bureau of the budget, the treasurer and the superintendent
5 of public works, who are constituted a board of disposal, for
6 permission to make such sale, exchange or other disposition of
7 such property, which application shall contain the following
8 statement, verified by oath:

- 9 1. Name and official position of applicant;
- 10 2. Kind of property and full description thereof;
- 11 3. Purposes for which such property is used;
- 12 4. Estimated value of such property;
- 13 5. Reasons for selling, exchanging or otherwise disposing
14 of such property;
- 15 6. What offer, if any, has been made for such property.

16 Section 7. BOARD OF DISPOSAL, POWERS. Upon the receipt of
17 an application made under Article IV, section 6, the board of
18 disposal shall consider the same and may call for further state-
19 ments in connection therewith. It shall have power in its dis-
20 cretion to grant or refuse the permission sought for. In case
21 permission is granted, it shall have power, subject to the pro-
22 visions of Article IV, section 2, to determine the manner and
23 method by which any sale, exchange or other disposition shall be
24 made.

25 Section 8. PROCEEDS. Except as otherwise provided by any
26 other law, all moneys received from the sale of any personal pro-
27 perty by any office, board, establishment, institution or other
28 agency shall be credited to the General Fund, or other fund from
29 which the item was originally paid; provided, that where any such

1 personal property has been purchased with moneys in a special
2 appropriation which does not lapse at the end of the current
3 biennium the proceeds of such sale shall be credited to that
4 special appropriation. In any case of doubt as to the applica-
5 tion of any such proceeds, the auditor shall determine the fund
6 or appropriation to which such proceeds shall be credited and
7 his decision shall be final.

8 Section 9. RECORDS. The records of all proceedings of the
9 board shall be kept in the office of the director of the bureau
10 of the budget.

11 Section 10. CHAIRMAN OF BOARD; POWERS. The director of
12 the bureau of the budget shall be the chairman of the board and
13 he shall have authority to sign such orders, instruments and
14 other documents as may be adopted by such board.

15 ARTICLE V

16 Section I. Sections 7-1-6(b), 7-1-6(c), 7-1-6(d), 7-1-6(e),
17 7-1-6(f), 7-1-6(g), 7-1-6(h), 8-1-1, 8-1-2, 8-1-3, 8-1-4,
18 8-1-5, 8-1-6, 8-1-8, 8-1-9, 8-1-10(1), 8-1-10(9), 8-1-11,
19 8-1-12, 8-1-13, 8-1-14, 8-1-15, 8-1-16, 8-1-17, 10-1-1, 10-1-2,
20 10-1-3, 10-1-4, 10-1-5, 10-1-6, 10-1-7, 10-1-8, 10-2-2, 12-2-1,
21 12-2-2, 12-3-1, 12-3-2, 13-1-1, 13-1-2, 13-1-4, 14-4-1, 15-1-3,
22 15-1-4, 37-4-12, 48-2-18, 48-2-19, ACIA 1949 and Chapter 50, SLA
23 1949 are hereby repealed.
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