

1 IN THE HOUSE

BY MESSRS. KAY AND STEWART

2 HOUSE BILL NO. *96*

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to reconstitute the Legislative  
7 Council; and to confer upon the Council the  
8 power to administer oaths and compel atten-  
9 dance of witnesses; amending Secs. 2 and 4  
10 of Ch. 69, SLA, 1953; and declaring an  
11 emergency."

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

13 Section 1. Section 2 of Chapter 69, Session Laws of Alaska,  
14 1953, is hereby amended so as to read as follows:

15 Section 2. LEGISLATIVE COUNCIL. MEMBERSHIP. There is  
16 hereby created the Legislative Council of the Legislature of  
17 the Territory of Alaska, which shall consist of the President  
18 of the Senate and the Speaker of the House of Representatives  
19 and three other Senators and three other Representatives who  
20 shall be [JOINTLY] appointed by the President of the Senate  
21 and Speaker of the House, respectively, within ten days after  
22 the passage and approval of this Act, and thereafter prior to  
23 the adjournment of each regular session of the Legislature.  
24 [WITHIN TEN DAYS FOLLOWING THE ORGANIZATION OF THE LEGISLA-  
25 TURE AT EACH SUCCEEDING SESSION. WHENEVER POSSIBLE,] The  
26 membership from each house shall include [AT LEAST] one  
27 member from each Judicial Division and, whenever possible,  
28 the membership of the Council shall include at least two  
29 members from each of the two major political parties. Members

1 shall serve until their successors are appointed. When any  
2 vacancy exists in the membership of the Council the President  
3 of the Senate shall appoint some other member of the Senate  
4 to fill such vacancy if the person previously filling such  
5 position was a Senator and the Speaker of the House shall  
6 appoint some other member of the House of Representatives  
7 to fill such vacancy if the person previously filling such  
8 position was a member of the House of Representatives. <sup>provided</sup>

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10 Sec. 2. Section 4. of Chapter 69, Session Laws of Alaska,  
11 1953, is hereby amended to read as follows:

12 Section 4. POWERS. The Council shall have the power  
13 to organize and adopt rules for the conduct of its business;  
14 to hire, from outside the membership of the committee, an  
15 executive director and such other research, clerical, and  
16 other help as it deems necessary, and to fix their compensa-  
17 tion; to hold public hearings on subjects under examination;  
18 to contract for the publication of its reports; and to incur  
19 such other expense and to do whatever else it may deem neces-  
20 sary or advisable to carry out the purposes of this Act.

21 The Council shall have the authority to administer  
22 oaths, issue subpoenas, compel the attendance of witnesses  
23 and the production of any papers, books, accounts, documents  
24 and testimony, and to cause the deposition of witnesses to be  
25 taken in the manner prescribed by law for taking depositions  
26 in civil actions in the district court. In case of dis-  
27 obedience on the part of any person to comply with any sub-  
28 poena issued in behalf of the Council, or on the refusal of  
29 any witness to testify to any matters regarding which he may  
30 be lawfully interrogated, it shall be the duty of the

P. 2, line 8: add the words "provided that any such vacancy be filled by a person from the same political party and from the same Division as that in which the vacancy occurred, if possible."

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district court, or of the judge thereof, on application of  
the Council, to compel obedience by proceedings for contempt,  
as in the case of disobedience of the requirements of a sub-  
poena issued from such court or a refusal to testify therein.  
Each witness who appears before the Legislative Council by  
its order, other than a Territorial official or employee,  
shall receive for his attendance the fees and mileage pro-  
vided for witnesses in civil cases in courts of record, which  
shall be audited and paid upon the presentation of proper  
vouchers sworn to by such witness and approved by the chair-  
man of the Council.

Sec. 3. An emergency is hereby declared to exist and this  
Act shall take effect and be in force from and after its passage  
and approval, or upon its becoming law without such approval.