

THE LEGISLATIVE COUNCIL

1 IN THE HOUSE

BY MESSRS. GREUEL AND RILEY

2 HOUSE BILL NO. 31

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 THE 27-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of
7 official travel of officials and employees
8 of the Territory of Alaska, including such
9 travel both within and without the Terri-
10 tory; amending Section 9-1-15, ACLA 1949,
11 as amended; repealing Section 11-4-1,
12 ACLA 1949, as amended; repealing Section
13 11-4-3, ACLA 1949, as amended; repealing
14 Section 37-2-27, ACLA 1949; and setting
15 an effective date."

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

17 Section 1. SHORT TITLE. This Act may be cited as the
18 "Travel Regulation Act of 1957".

19 Sec. 2. PURPOSE. The purpose of this Act is to provide for
20 the uniform regulation of the official travel of Territorial
21 officials and employees, both within and without the Territory.

22 Sec. 3. DEFINITIONS. For the purposes of this Act, the
23 following words and phrases shall have the meanings prescribed
24 in this section:

(1) "Territorial Agencies", "Agencies", "Departments"
25 and similar terms, mean all departments, offices, institutions, boards,
26 commissions, bureaus, divisions, or other administrative units
27 within the Territorial Government of Alaska.

(2) "Officials", "Territorial Officials" or like

1 terms mean the appointive or elective administrative heads of
2 Territorial agencies defined in subsection (1) of this section.

3 (3) "Employees", "Territorial Employees" and like
4 terms, mean all persons in the employ of the Territorial
5 agencies defined in subsection (1) of this section.

6 (4) "Official Travel" or like terms, means travel
7 within or without the Territory on the official business of
8 the Territory; for which payment or reimbursement is expected
9 from moneys in the Territorial Treasury.

10 (5) The term "Traveler" means the Territorial offi-
11 cial or employee engaged in official travel for the Territory
12 of Alaska.

13 (6) The term "Subsistence" means lodging, meals, and
14 other necessary expenses incidental to the personal sustenance
15 or comfort of the traveler.

16 (7) The term "Per Diem Allowance" means a daily flat
17 rate of payment in lieu of actual expenses.

18 Sec. 4. PER DIEM ALLOWANCE. Officials and employees of
19 the Territorial agencies, while traveling on official business,
20 and away from their designated posts of duty, shall be allowed,
21 in lieu of their actual expenses for subsistence and all fees
22 or taxes, a per diem allowance to be prescribed by the agency
23 concerned, not to exceed the rate of \$15.00 for travel within
24 the Territory.

25 Sec. 5. ALLOWABLE EXPENSES. Except as otherwise permitted
26 by this Act, only actual and necessary traveling expenses shall
27 be allowed to any official or employee of the Territory of

28 Sec. 6. TRAVEL ALLOWANCE. Officials and employees of

1 the Territorial agencies shall, under regulations prescribed
2 by the Director of Finance, and whenever such mode of trans-
3 portation is authorized or approved as more advantageous to
4 the Territory, be paid in lieu of actual expenses of transporta-
5 tion not to exceed 12 cents per mile for the use of privately-
6 owned automobiles or airplanes, when engaged in official travel
7 within or without their designated posts of duty or places of
8 service. In addition to the mileage allowances provided for in
9 this section, there may be allowed reimbursement for the actual
10 cost of ferry fares, and bridge, road and tunnel tolls. Where
11 two or more officials or employees are traveling in the same
12 direction, and it is possible to share a privately-owned auto-
13 mobile or airplane, the mileage permitted shall be allowed only
14 once.

15 Sec. 7. OUT-OF-TERRITORY TRAVEL. No Territorial official
16 or employee shall receive payment for per diem or transporta-
17 tion costs for official travel outside the Territory unless such
18 travel is clearly necessary for the benefit of the Territory,
19 its people or resident industries. All official travel by
20 officials and employees outside the Territory shall be limited
21 to the shortest first-class route or its cost equivalent, and
22 to the least number of days necessary to transact the business
23 involved and secure return passage. It shall be the duty of
24 every official and employee, unless otherwise authorized by law
25 to travel outside the Territory, to obtain prior approval for
26 such travel from his supervising board or commission, or from
27 the Director of Finance if the official or employee is not
28 under the supervision of a board or commission. If travel
29 actually performed deviates materially from that authorized,

1 it shall be incumbent upon each such official or employee to
2 obtain approval of his transportation and per diem vouchers
3 from his approving board or commission before submitting same
4 to the Director of Finance for payment, and only such portion
5 of the money vouchered for as meets with such approval may be
6 paid.

7 Sec. 8. ADVANCES AND RECOVERY. The agencies may advance,
8 through the proper disbursing methods, to any person entitled
9 to per diem or mileage allowances under this Act, such sums as
10 may be deemed advisable considering the character and probable
11 duration of the travel to be performed. Any sums so advanced
12 and not used for allowable travel expense shall be recoverable
13 by set-off against salary due, or otherwise, from the person to
14 whom advanced, or his estate, by deduction from any amount due
15 from the Territory, or by such other legal methods of recovery
16 as may be necessary.

17 Sec. 9. REGULATIONS. The fixing and payment under this
18 Act of travel and per diem allowances and of advances and reco-
19 very thereof, and reimbursement of travel expenses shall be in
20 accordance with regulations which shall be promulgated by the
21 Director of Finance. Such regulations shall also govern the
22 use of public transportation facilities by officials and employ-
23 ees.

24 Sec. 10. TRAVEL ALLOWANCES OF GOVERNOR, LEGISLATORS,
25 BOARD AND COMMISSION MEMBERS UNAFFECTED. This Act shall not be
26 construed to modify or repeal any Act providing for the travel
27 ex penses of the Governor of the Territory of Alaska or members
28 of the Legislature of the Territory of Alaska, or members of the
29 various boards or commissions of the Territorial government.

1 Sec. 11. MODIFICATION OF EXISTING LAW. Section 9-1-15,
2 ACLA 1949, as amended by Chapter 3, SLA 1951, is hereby amended
3 to read as follows:

4 Sec. 9-1-15. Assistant Attorneys General; Appoint-
5 ment, Qualifications, Duties and Powers; Salary; Services
6 Available to department heads; Travel. The Attorney Gen-
7 eral shall have the power, whenever in his judgment the
8 interests of the Territory demand it, to select and appoint
9 one or more attorneys who shall be residents of the Terri-
10 tory and admitted to practice law therein, to act and serve,
11 either on a full-time or part-time basis, as assistant or
12 associate counsel as the case may be and while so acting
13 and serving they shall be known and recognized as Assistant
14 Attorneys General with such powers, duties, and privileges
15 as may descend to them as such together with any other
16 powers, duties and privileges that may be specially dele-
17 gated to them by the Attorney General [] , and at such
18 compensation as he deems proper. [WHEN APPOINTMENT BE
19 MADE OF ASSISTANT ATTORNEY GENERAL ON A SALARY BASIS,
20 SALARY SHALL NOT EXCEED TO ANY ONE PERSON PER ANNUM THE
21 SUM OF NINE THOUSAND DOLLARS.] Expense of employment of
22 assistant or associate counsel by the Attorney General
23 shall be paid out of the appropriation for his office,
24 provided however, that the Attorney General may, with the
25 approval of the department head concerned, assign an Assis-
26 tent Attorney General to be stationed in the office of ano-
27 ther department on a part-time basis, in which case that
28 portion of his salary for the time so assigned shall be
29 paid out of the appropriation of the department which said

1 Assistant Attorney General is serving on a permanent part-
2 time basis; and provided further, that in all actions
3 wherein moneys are recovered to the benefit of the Terri-
4 tory the same shall be paid into the General Fund unless
5 otherwise provided by law. With the permission of the
6 Attorney General, the services of an Assistant Attorney
7 General for the purpose of investigation and/ or enforce-
8 ment in the matter of violation of territorial statutes
9 shall be available to the heads of the departments of the
10 Territorial Government, but this provision shall not limit
11 the Attorney General in his powers to initiate investiga-
12 tions and enforcements of violations which may come to his
13 attention. [; AND] In carrying out the duties of his
14 office, the Attorney General and his assistants may [ARE
15 HEREBY AUTHORIZED TO] travel within and without the Terri-
16 tory of Alaska [.] under the laws and regulations govern-
17 ing the official travel and the payment of travel expenses
18 of all Territorial officials and employees.

19 Sec. 12. REPEALER. Section 11-4-1, ACLA 1949, as amended
20 by Chapter 4, SLA 1949, Chapter 33, SLA 1951, and Chapter 75,
21 SLA 1953; Section 11-4-3, ACLA 1949, as amended by Chapter 30,
22 SLA 1949; and Section 37-P-27, ACLA 1949, together with all other
23 inconsistent provisions of law, are hereby repealed.

24 Sec. 13. EFFECTIVE DATE. This Act shall take effect and
25 be in force from and after its passage and approval or upon its
26 becoming law without such approval, and it is so enacted.