

1 IN THE HOUSE

BY MESSRS. GREUEL & RILEY
BY REQUEST

2 HOUSE BILL NO. 31

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-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 declaring
15 an emergency."

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:

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

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

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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 tips, a per diem allowance to be prescribed by the agency
23 concerned, not to exceed the rate of \$15.00 for travel within
24 or without 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 Alaska.

29 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, to 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 the Chairman of his supervising board or
27 commission, provided that the Board or Commission may delegate
28 a power of approval for travel of employees other than the
29 official, to the official; or from the Director of Finance if

1 the official or employee is not under the supervision of board
2 of commission. If travel actually performed deviates materially
3 from that authorized, it shall be incumbent upon each such of-
4 ficial or employee to obtain approval of his transportation and
5 per diem vouchers from his approving board or commission before
6 submitting same to the Director of Finance for payment, and only
7 such portion of the money vouchered for as meets with such ap-
8 proval may be paid.

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

19 Sec. 9. REGULATIONS. The fixing and payment under this
20 Act of travel and per diem allowances and of advances and recoi-
21 very thereof, and reimbursement of travel expenses shall be in
22 accordance with regulations which shall be promulgated by the
23 Director of Finance, and shall be uniform for all officials and
24 employees, and all agencies and departments as defined herein.
25 Such regulations shall also govern the use of public transporta-
26 tion facilities by officials and employees.

27 Sec. 10. TRAVEL ALLOWANCES OF GOVERNOR, LEGISLATORS, BOARD
28 AND COMMISSION MEMBERS UNAFFECTED. This Act shall not be con-
29 strued to modify or repeal any Act providing for the travel

1 expenses of the Governor of the Territory of Alaska or members
2 of the Legislature of the Territory of Alaska, or members of the
3 various boards or commissions of the Territorial government.

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

7 Sec. 9-1-15. Assistant Attorneys General; A ppoint-
8 ment, Qualifications, Duties and Powers: Salary: Services
9 Available to department heads; Travel. The Attorney Gen-
10 eral shall have the power, whenever in his judgement the
11 interests of the Territory demand it, to select and ap-
12 point one or more attorneys who shall be residents of the
13 Territory and admitted to practice law therein, to act and
14 serve, either on a full-time or part-time basis, as as-
15 sistant or associate counsel as the case may be and while
16 so acting and serving they shall be known and recognized
17 as Assistant Attorneys General with such powers, duties,
18 and privileges as may descend to them as such together
19 with any other powers, duties and privileges that may be
20 specially delegated to them by the Attorney General []
21 and at such compensation as he deems proper. WHEN

22 APPOINTMENT BE MADE OF ASSISTANT ATTORNEY GENERAL ON A
23 SALARY BASIS, SALARY SHALL NOT EXCEED TO ANY ONE PERSON
24 PER ANNUM THE SUM OF NINE THOUSAND DOLLARS.] Expense of
25 employment of assistant or associate counsel by the At-
26 torney General shall be paid out of the appropriation for
27 his office, provided however, that the Attorney General,
28 may, with the approval of the department head concerned,
29 assign an Assistant Attorney General to be stationed in the

1 office of another department on a part-time basis, in
2 which case that portion of his salary for the time so as-
3 signed shall be paid out of the appropriation of the
4 department which said Assistant Attorney General is serv-
5 ing on a permanent part-time basis; and provided further,
6 that in all actions wherein moneys are recovered to the
7 benefit of the Territory the same shall be paid into the
8 General Fund unless otherwise provided by law. With the
9 permission of the Attorney General, the services of an
10 Assistant Attorney General for the purpose of investigation
11 and/or enforcement in the matter of violation of terri-
12 torial statutes shall be available to the heads of the
13 departments of the Territorial Government, but this pro-
14 vision shall not limit the Attorney General in his powers
15 to initiate investigations and enforcements of violations
16 which may come to his attention. AND In carrying out
17 the duties of his office, the Attorney General and his
18 assistants ARE HEREBY AUTHORIZED TO travel within
19 and without the Territory of Alaska under the laws
20 and regulations governing the official travel and the
21 payment of travel expenses of all Territorial officials
22 and employees.

23 Sec. 12. REPEALER. Section 11-4-1, ACLA 1949, as amended
24 by Chapter 4, SLA 1949, Chapter 33, SLA 1951, and Chapter 75,
25 SLA 1953; Section 11-4-3, ACLA 1949, as amended by Chapter 30,
26 SLA 1949; and Section 37-2-27, ACLA 1949, together with all
27 other inconsistent provisions of law, are hereby repealed.

28 Sec. 13. An emergency is hereby declared to exist
29 and this Act shall be in full force and effect from and after

1 the date of its passage and approval.

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