

1 IN THE HOUSE

BY MESSRS. GREUEL & HILEY
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

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 agencies
5 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 the
8 Territory; for which payment or reimbursement is expected or auth-
9 orized 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 of
12 Alaska.

13 (6) The term "Subsistence" means lodging, meals, and
14 other necessary expenses incidental to the personal sustenance or
15 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 and
20 away from their designated posts of duty, shall be allowed, in lieu
21 of their actual expenses for subsistence and all fees or tips, a
22 per diem allowance to be prescribed by the agency concerned, not to
23 exceed the rate of \$15.00 for travel within or without the Terri-
24 tory of Alaska.

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

28 Sec. 6. MILEAGE ALLOWANCE. Officials and employees of the
29 Territorial agencies shall, under regulations prescribed by the

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

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

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

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

14 Sec. 9. REGULATIONS. The fixing and payment under this Act
15 of travel and per diem allowances and of advances and recovery
16 thereof, and reimbursement of travel expenses shall be in accord-
17 ance with regulations which shall be promulgated by the Director
18 of Finance, and shall be uniform for all officials and employees,
19 and all agencies and departments as defined herein. Such regula-
20 tions shall also govern the use of public transportation facilities
21 by officials and employees.

22 Sec. 10. TRAVEL ALLOWANCES OF GOVERNOR, LEGISLATORS, BOARD
23 AND COMMISSION MEMBERS UNAFFECTED. This Act shall not be construed
24 to modify or repeal any Act providing for the travel expenses of
25 the Governor of the Territory of Alaska or members of the Legisla-
26 ture of the Territory of Alaska, or members of the various boards
27 or commissions of the Territorial government.

28 Sec. 11. MODIFICATION OF EXISTING LAW. Section 9-1-15, ACLA
29 1949, as amended by Chapter 3, SLA 1951, is hereby amended to read

HB #31 as amended
Re-enslaved as amended by the Senate

1 as follows:

2 Sec. 9-1-15. Assistant Attorneys General; Appointment,
3 Qualifications, Duties and Powers: Salary: Services Avail-
4 able to department heads; Travel. The Attorney General shall
5 have the power, whenever in his judgment the interests of the
6 Territory demand it, to select and appoint one or more
7 attorneys who shall be residents of the Territory and admitted
8 to practice law therein, to act and serve, either on a full-
9 time or part-time basis, as assistant or associate counsel as
10 the case may be and while so acting and serving they shall be
11 known and recognized as Assistant Attorneys General with such
12 powers, duties, and privileges as may descend to them as such
13 together with any other powers, duties and privileges that
14 may be specially delegated to them by the Attorney General.
15 When appointment be made of Assistant Attorney General on a
16 salary basis, salary shall not exceed to any one person per
17 annum the sum of nine thousand dollars. Expense of employment
18 of assistant or associate counsel by the Attorney General shall
19 be paid out of the appropriation for his office, provided how-
20 ever, that the Attorney General may, with the approval of the
21 department head concerned, assign an Assistant Attorney Gen-
22 eral to be stationed in the office of another department on a
23 part-time basis, in which case that portion of his salary for
24 the time so assigned shall be paid out of the appropriation of
25 the department which said Assistant Attorney General is serv-
26 ing on a permanent part-time basis; and provided further, that
27 in all actions wherein moneys are recovered to the benefit of
28 the Territory the same shall be paid into the General Fund
29 unless otherwise provided by law. With the permission of the

HB #31 as amended
Re-engrossed as amended by the Senate

1 Attorney General, the services of an Assistant Attorney
2 General for the purpose of investigation and/or enforcement
3 in the matter of violation of territorial statutes shall be
4 available to the heads of the departments of the Territorial
5 Government, but this provision shall not limit the Attorney
6 General in his powers to initiate investigations and enforce-
7 ments of violations which may come to his attention, [; AND]
8 In carrying out the duties of his office, the Attorney General
9 and his assistants may [ARE HEREBY AUTHORIZED TO] travel within
10 and without the Territory of Alaska [.] under the laws and
11 regulations governing the official travel and the payment of
12 travel expenses of all Territorial officials and employees.

13 Sec. 12. REPEALER. Section 11-4-1, ACLA 1949, as amended
14 by Chapter 4, SLA 1949, Chapter 33, SLA 1951, and Chapter 75, SLA
15 1953; Section 11-4-3, ACLA 1949, as amended by Chapter 30, SLA
16 1949; and Section 37-2-27, ACLA 1949, together with all other in-
17 consistent provisions of law, are hereby repealed.

18 Sec. 13. EMERGENCY. An emergency is hereby declared to
19 exist and this Act shall be in full force and effect from and
20 after the date of its passage and approval,
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