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IN THE HOUSE

BY MR. HELLENTHAL

HOUSE BILL NO. 13

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act to create the Legislative Oversight and Scrutiny Committee; setting forth the intent and object of the legislature in so doing; prescribing the Committee's powers, duties, membership, staff, and functions; and providing for an effective date."

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

Section 1. LEGISLATIVE OVERSIGHT AND SCRUTINY COMMITTEE ESTABLISHED. There is hereby created, an interim committee of the legislature designated the "Legislative Oversight and Scrutiny Committee," hereinafter termed the committee. Its object is to meet the pressing need for the legislature to have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the state government so that the people may know how they are being served and so that it may be determined whether or not the program and policies as set out in the laws are being correctly and efficiently carried out. The legislature must scrutinize and oversee these acts and dispositions by every form of discussion to prevent the people and their legislators from being and remaining in embarrassing, crippling ignorance of the very affairs they should completely understand. Individual legislators cannot properly appraise the administration of the laws and develop such amendments or related legislation as may be necessary and dictated by continuous watchfulness of the

1 execution by the administrative agencies concerned of any laws.  
2 Because the informing function of the legislature is as important  
3 and even more so than its legislative function - this committee  
4 is created. It is never to usurp executive functions - it shall  
5 investigate to seek information from those best qualified to  
6 furnish it so that recommendations for or against further legis-  
7 lation can be made. It shall publicly operate in the interim  
8 without unduly seeking publicity so that factual information and  
9 recommendations based thereon may be available at the outset of  
10 legislative sessions.

11       Sec. 2. MEMBERSHIP. The committee shall consist of five  
12 members chosen on a nongeographical basis at the outset of each  
13 legislature convening after a general election. Each member shall  
14 serve for a term of two years. Two members shall be chosen from  
15 the House, one from the majority party by the membership of the  
16 House belonging to said party and one from the minority party in  
17 the same manner. Two members shall be chosen from the majority  
18 and minority party members of the Senate in the same manner. The  
19 fifth member shall be chosen from and by the joint membership of  
20 the House and Senate belonging to the same political party as the  
21 governor. The minority party shall be considered as the largest  
22 minority party in either the House or Senate. The presiding  
23 officer of each house shall cause the elections to be held and  
24 announce the selection of members within 30 days after the  
25 convening of the first regular session of each legislature or  
26 within 10 days of the passage of this Act during the year 1961.

27       Sec. 3. EXECUTIVE DIRECTOR AND STAFF. The committee hires  
28 an executive director and determines his salary. The executive  
29 director shall serve as the executive officer of the committee in

1 the accomplishment of its functions. He serves at the direction  
2 and at the pleasure of the committee. He is authorized to employ  
3 and determine the compensation of the members of the professional  
4 and clerical staffs of the agency within the limitation of the  
5 budget approved by the committee. The executive director and the  
6 members of the professional staff shall maintain the integrity of  
7 the committee's functions and services on the behalf of the  
8 legislative branch by refraining from joining or supporting any  
9 partisan political organization, faction or activity which would  
10 tend to undermine the essential non-partisan nature of their  
11 functions and services. However, this section does not restrict  
12 the executive director or members of the professional staff from  
13 expressing private opinion, registering or voting.

14 Sec. 4. POWERS. The committee shall have the following  
15 powers:

16 (1) To organize and adopt rules for the conduct of its  
17 business;

18 (2) To hold public hearings using one or more of its  
19 members, administer oaths, issue subpoenas, compel the attendance  
20 of witnesses and production of any papers, books, accounts,  
21 documents, and testimony, and to cause the deposition of witnesses  
22 to be taken in the manner prescribed by court rule or law for  
23 taking depositions in civil actions when consistent with the  
24 powers and duties assigned to the committee by this Act;

25 (3) To call upon all state officials, agencies, and  
26 institutions to give full cooperation to the committee and its  
27 executive director by collecting and furnishing information,  
28 conducting studies and making recommendations;

29 (4) To produce, publish, distribute and to contract for

1 the printing of such reports, memoranda and other materials it  
2 finds necessary to the accomplishment of its work;

3       Sec. 5. MEETINGS. The committee may meet during sessions of  
4 the legislature and during intervals between sessions at such  
5 times and places within the state as the chairman may determine.  
6 The committee shall meet immediately after the appointment of its  
7 membership at the first regular session of each legislature for  
8 purposes of organization. Minutes of each meeting shall be kept  
9 and all meetings shall be public pursuant to Art. VI, Adminis-  
10 trative Procedure Act. One-half of the membership constitutes a  
11 quorum to do business. Members may receive, for the minimum time  
12 required to get to and from meetings and while attending meetings,  
13 the same travel fare and per diem allowances provided by law for  
14 members of the legislature when attending sessions.

15       Sec. 6. REPORTS. The committee shall submit a summary  
16 report of its findings and recommendations prior to each session  
17 of the legislature. The committee shall at least every three  
18 months following the close of a legislative session submit memo-  
19 randum reports to the legislators on matters within its juris-  
20 diction. Reports released by the committee are public and they  
21 may be made available at a reasonable cost.

22       Sec. 7. BUDGETS. The committee shall submit a budget of its  
23 anticipated needs for each fiscal year to the finance committees  
24 of the legislature. The executive director shall annually submit  
25 an estimated budget to the governor for information purposes in  
26 the preparation of the executive budget.

27       Sec. 8. APPROPRIATIONS. Appropriations for carrying out the  
28 provisions of this Act shall be set forth in the general appropria-  
29 tion bill or such other bills as may be necessary. The committee

1 is authorized to direct the executive director to transfer amounts  
2 from one appropriation to another if such transfer is deemed  
3 necessary to accomplish the work of the committee; provided, that  
4 in no event shall the total amount of the authorized appropriation  
5 be exceeded. All expenditures of the committee are subject to  
6 audit.

7 Sec. 9. EFFECTIVE DATE. This Act takes effect on the day  
8 after its passage and approval or on the day it becomes law  
9 without such approval.

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11 Passed by the House \_\_\_\_\_, 1962

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Speaker of the House

15 ATTEST:

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17 \_\_\_\_\_  
Chief Clerk of the House

18 Passed by the Senate \_\_\_\_\_, 1962

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President of the Senate

22 ATTEST:

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Secretary of the Senate

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