

Introduced: 3/4/63
Referred: Judiciary

1 IN THE HOUSE

BY MESSRS. SANDERS
AND TAYLOR

2 HOUSE BILL NO. 142

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to create the Legislative Oversight
7 and Scrutiny Committee; and providing for
8 an effective date."

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

10 * Section 1. AS 24.20 is amended by adding new sections to
11 read:

12 ARTICLE 3. LEGISLATIVE OVERSIGHT AND SCRUTINY COMMITTEE.

13 Sec. 24.20.380. LEGISLATIVE OVERSIGHT AND SCRUTINY COM-
14 MITTEE ESTABLISHED. The Alaska Legislative Oversight and
15 Scrutiny Committee hereinafter termed the committee is es-
16 tablished as a permanent interim and service agency of the
17 legislature. The establishment of the committee recognizes
18 the need of the legislature for full time technical assis-
19 tance in accomplishing the research essential to inform
20 its members of the acts and the disposition of the adminis-
21 trative agents of the state government and to determine
22 whether the programs and policies as set out in the laws
23 are being correctly and efficiently carried out.

24 Sec. 24.20.390. MEMBERSHIP. The committee is composed
25 of three members elected from the senate and three members
26 elected from the house of representatives. The remaining
27 member shall be chosen from the joint membership of the
28 house and senate belonging to the opposite political party
29 as the governor and shall preside as chairman. At least one

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1 member from the minority party of each house shall be on the
2 committee.

3 Sec. 24.20.400. TERM OF OFFICE. Members serve for the
4 duration of the legislature during which they are appointed
5 and, if they are re-elected to or their term of office ex-
6 tends into the next succeeding legislature, continue to
7 serve until re-elected or their successors are elected.

8 Sec. 24.20.410. VACANCIES. When a vacancy occurs in
9 the membership of the committee the presiding officer of the
10 house incurring the vacancy shall call for elections to fill
11 the vacancy within 30 days. Legislators elected to fill
12 vacancies shall represent the same political party as the
13 member vacating the seat, when possible.

14 Sec. 24.20.420. EXECUTIVE DIRECTOR AND STAFF. The com-
15 mittee hires an executive director and determines his
16 salary. The executive director shall serve as the executive
17 officer of the committee in the accomplishment of its func-
18 tions. He serves at the direction and at the pleasure of
19 the committee. He is authorized to employ and determine the
20 compensation of the members of the professional and clerical
21 staffs of the agency within limitation of the budget approved
22 by the committee. The executive director and the members of
23 the professional staff shall maintain the integrity of the
24 committee's functions and services on behalf of the legis-
25 lative branch by refraining from joining or supporting any
26 partisan political organization, faction, or activity which
27 would tend to undermine the essential nonpartisan nature of
28 their functions and services. However, this section does not
29 restrict the executive director or members of the professional

1 staff from expressing private opinion, registering or voting.

2 Sec. 24.20.430. POWERS. The committee shall have the
3 following powers:

4 (1) to organize and adopt rules for the conduct
5 of its business;

6 (2) to hold public hearings, administer oaths,
7 issue subpoenas, compel the attendance of witnesses and pro-
8 duction of any papers, books, accounts, documents, and testi-
9 mony, and to cause the deposition of witnesses to be taken in
10 the manner prescribed by court rule or law for taking deposi-
11 tions in civil actions when consistent with the powers and
12 duties assigned to the committee by this Act;

13 (3) to call upon all state officials, agencies,
14 and institutions to give full cooperation to the committee
15 and its executive director by collecting and furnishing in-
16 formation, conducting studies and making recommendations;

17 (4) to produce, publish, distribute and to con-
18 tract for the printing of such reports, memoranda and other
19 materials it finds necessary to accomplish its work.

20 Sec. 24.20.440. MEETINGS. The committee may meet dur-
21 ing sessions of the legislature and during intervals between
22 sessions at such times and places inside the state as the
23 chairman may determine. The committee shall meet immediately
24 after the appointment of its membership at the first regular
25 session of each legislature for purposes of organization.
26 Minutes of each meeting shall be kept. One-half of the
27 membership constitutes a quorum to do business. Members may
28 receive, for the minimum time required to get to and from
29 meetings and while attending meetings, the same travel fare

1 and per diem allowance provided by law for members of the
2 legislature when attending sessions.

3 Sec. 24.20.450. REPORTS. The committee shall submit a
4 summary report of its findings and recommendations to each
5 session of the legislature. The committee shall, from time
6 to time, submit memorandum reports to the legislature on
7 matters referred to it, or coming before it. Reports re-
8 leased by the committee are public and may be made available
9 at a reasonable cost.

10 Sec. 24.20.460. BUDGETS. The committee shall submit a
11 budget of its anticipated needs for each fiscal year to the
12 finance committees of the legislature. The executive direc-
13 tor shall annually submit an estimated budget to the governor
14 for information purposes in the preparation of the executive
15 budget.

16 Sec. 24.20.470. APPROPRIATIONS. Appropriations for
17 carrying out secs. 380 - 460 of this chapter shall be set
18 forth in the general appropriation bill or such other bills
19 as may be necessary. The committee may direct the executive
20 director to transfer amounts from one appropriation to
21 another if the transfer is considered necessary to accomplish
22 the work of the committee. The committee may not exceed the
23 total amount of the authorized appropriation. All expendi-
24 tures of the committee are subject to audit.

25 * Sec. 2. AS 44.62.320 is amended to read:

26 Sec. 44.62.320. LEGISLATIVE ANNULMENT AND REVIEW OF
27 REGULATIONS. The legislature, by a concurrent resolution
28 adopted by a vote of both houses, may annul a regulation of
29 an agency or department. The legislative oversight and

1 scrutiny committee [LEGISLATIVE COUNCIL] shall annually re-
2 view all agency regulations to determine if the legislative
3 intent is correctly followed. A comprehensive report of
4 the annual review with recommendations shall be submitted
5 to the members of the legislature at the start of the
6 legislature at the start of the regular session.

7 * Sec. 3. This Act takes effect January 1, 1965.
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