

Introduced: 2/25/74
Referred: Judiciary

1 IN THE SENATE

BY HARRIS, KERTTULA AND PALMER

2 SENATE BILL NO. 417

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to immunity of a witness from prosecu-
7 tion related to legislative-ordered testimony; and
8 providing for an effective date."

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

10 * Section 1. AS 24.25.070(a) is amended to read:

11 (a) A person called as a witness before the senate, house of
12 representatives, or a standing, special or interim committee of either
13 or both, or before the legislative council or the Legislative Budget
14 and Audit Committee, who refuses to answer any question or to produce
15 any book, paper or document relating to the matter under inquiry, on
16 the ground that the answer or the production may tend to incriminate
17 him, may be granted immunity from punishment for the offense to which
18 the question or evidence relates by resolution of the house which is
19 conducting the inquiry. If the inquiry is conducted by a committee or
20 body composed of members of both houses, then immunity may be granted
21 only by concurrent resolution adopted by both houses. However, if the
22 refusal to answer a question or produce evidence occurs when the legis-
23 lature is not in session, immunity from punishment may be granted
24 either (1) by a majority vote of the members of the interim committee
25 by whom the inquiry is being conducted and the approval of the pre-
26 siding officer of the house whose members comprise the committee, but
27 if the interim committee is composed of members of both houses, then
28 by the presiding officer of both the house and senate, or (2) by a
29 majority vote of the members of the legislative council. The resolution

1 shall be entered in the [UPON ITS] journal of the house conducting the
2 inquiry, or, if it is an inquiry conducted by a committee or a body
3 composed of members of both houses, in the journal of both houses, or,
4 if the inquiry occurs when the legislature is not in session, the
5 action of the interim committee and the presiding officer or officers
6 or of the legislative council shall be recorded in the minutes of the
7 council, and the witness may then be compelled to answer the question
8 or produce the evidence.

9 * Sec. 2. This Act takes effect on the day after its passage and approval
10 or on the day it becomes law without approval.