

the defendant. Each party shall be entitled to subpoena witnesses and produce evidence to sustain or reverse the findings and order or demand of the Auditor. During the pendency of any appeal from the order of revocation or suspension of a license, the order of revocation theretofore entered by the Auditor

shall be stayed and any other order or demand appealed from may be stayed in the discretion of the Court. Either party may appeal from the judgment of said District Court to the U. S. Circuit Court of Appeals for the Ninth Circuit, as in other civil actions.

CHAPTER 74

AN ACT

To reconstitute the Legislative Council; and to confer upon the Council the power to administer oaths and compel attendance of witnesses; amending Sec. 2 and 4 of Ch. 69, SLA, 1953; and declaring an emergency.

(H. B. 96)

Be it Enacted by the Legislature of the Territory of Alaska:

Section 1. Section 2 of Chapter 69, Session Laws of Alaska, 1953, is hereby amended so as to read as follows:

Sec. 2. Legislative Council. Membership. There is hereby created the Legislative Council of the Legislature of the Territory of Alaska, which shall consist of the President of the Senate and the Speaker of the House of Representatives and three other Senators and three other Representatives who shall be appointed by the President of the Senate and Speaker of the House, re-

spectively, within ten days after the passage and approval of this Act, and thereafter prior to the adjournment of each regular session of the Legislature. The membership from each house shall include one member from each Judicial Division and, whenever possible, the membership of the Council shall include at least two members from each of the two major political parties. Members shall serve until their successors are appointed. When any vacancy exists in the membership of the Council the President of the Senate shall appoint some other member of the Senate to fill such vacancy if the person previously

filling such position was a Senator and the Speaker of the House shall appoint some other member of the House of Representatives to fill such vacancy if the person previously filling such position was a member of the House of Representatives, provided that any such vacancy be filled by a person from the same political party and from the same Division as that in which the vacancy occurred, if possible.

Section 2. Section 4 of Chapter 69, Session Laws of Alaska, 1953, is hereby amended to read as follows:

Sec. 4. Powers. The Council shall have the power to organize and adopt rules for the conduct of its business; to hire, from outside the membership of the committee, an executive director and such other research, clerical, and other help as it deems necessary, and to fix their compensation; to hold public hearings on subjects under examination; to contract for the publication of its reports; and to incur such other expense and to do whatever else it may deem necessary or advisable to carry out the purposes of this Act.

The Council shall have the authority to administer oaths, issue subpoenas, compel the attendance of witnesses and the production

of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses to be taken in the manner prescribed by law for taking depositions in civil actions in the district court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of the Council, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the district court, or of the judge thereof, on application of the Council, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness who appears before the Legislative Council by its order, other than a Territorial official or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the Council.

Section 3. An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval, or upon its becoming law without such approval.

Approved March 23, 1955