

CHAPTER 62

AN ACT

[H. B. 130]

To create a Legislative Examination and Investigating Committee, composed of members of the House and Senate, for the purpose of inquiring into the official conduct, administrative acts and operations of all Territorial boards, commissions, bureaus and elected and appointed Territorial officials, and all executive officers and officials and employees of the Territory, to make findings and reports to the legislature and to the Governor of Alaska, to institute proceedings in court where deemed necessary, and to cooperate with the Attorney General of the United States, Federal Bureau of Investigation, and other Federal officials and agencies; making an appropriation and declaring an emergency.

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

Section 1. There is hereby created the Alaska Legislative Examination and Investigating Committee, whose duty it shall be to carry out the provisions of this Act.

Creation of
Committee.

The members of the Committee shall consist of three members of the Territorial Senate and three members of the House of Representatives, who shall serve during their terms of office as members of the legislature which appoints them and for a period of 30 days thereafter; Provided however, that no more than four members of the committee shall be of the same political party. The Senators chosen as members of the Committee shall be appointed by the President of the Senate, and confirmed by and with the approval of the majority of the members of the Senate. The members of the House shall be appointed by the Speaker of the House, by and with the approval of the majority of the members of the House.

Membership.

Term.

Appointment and
confirmation.

Section 2. It shall be the duty of the Committee to make inquiry into the constitution and operations and conduct of all boards, bureaus, commissions and officials, elected and appointed, of the Territory; to examine books, records and accounts of all such boards, commissions,

Duties of
Committee.

bureaus, officials and employees of the Territory; to determine whether the boards, commissions, bureaus, officials, officers and employees of the Territory are conducting their offices and performing their duties in the most efficient manner and in accordance with the law and the intent of the legislature; to make recommendations for the elimination of waste, extravagance, unnecessary travel and other unnecessary expense in Territorial Government; and to suggest the resignation or removal of any and all members of boards, commissions and bureaus and all officers and employees of the Territory, where this is deemed in the best interest of the Territory, and of good and efficient government; to cause civil or criminal actions to be instituted in court where, in the opinion of a majority of the members of the Committee, this is warranted, and including actions for the removal of members of the boards, commissions and bureaus, or any other Territorial official or employee; to cooperate with the Attorney General of the United States, Federal Bureau of Investigation and all other Federal officers and agencies to effect the purpose of this Act, and particularly where Territorial officials are dealing with both Federal and Territorial funds and with the execution of both Federal and Territorial laws; to investigate and recommend reorganization of boards, commissions, bureaus and agencies, where it would be in the best interest of efficient government; to do and perform everything necessary to carry out the purpose and intent of this Act.

Recommendations
for elimination
of waste.

Suggest removals
or resignations.

Institute civil
or criminal
actions.

Cooperate with
Federal officers.

Suggest
reorganizations.

Access to Territorial records.

Hearings.

Section 3. The Committee shall have free access at all times to the records, books of account, correspondence, papers and documents of all Territorial boards, commissions, agencies, officials and employees, so far as they relate to the conduct of their respective offices, to hold hearings in connection with the performance of their duties, to administer oaths and examine witnesses, to issue subpoenas to all persons whose attendance may be required and to issue orders relative to such hearings

to all officers and employees of the Territory and of every board, commission, bureau and agency thereof; provided, however, that any person under investigation shall have the right to be present during such hearing, with or without counsel, to subpoena witnesses on his behalf, and cross examine witnesses against him. The hearings shall be conducted as nearly as possible in accordance with the rules of evidence and by no less than three members of the Committee in personal attendance. The Committee may file complaints and institute civil actions in the courts in all cases where that is deemed necessary in order to effectuate the purposes of this Act; to employ one or more expert investigators and accountants and such other assistants as, in their judgment, may be required, and to generally do and perform everything necessary to make a complete investigation of all the commissions, bureaus, agencies, elected and appointed officials and employees of the Territory of Alaska.

Presence of person under investigation at hearings.

Conduct of hearings.

Employment of investigators and accountants.

Section 4. The committee shall be constituted and the members thereof appointed in the manner herein provided, immediately upon the passage and approval of this Act. The Committee shall enter upon the performance of its duties immediately upon their appointment and confirmation by the respective houses of the legislature.

Time of constitution of Committee.

Section 5. The members of the Committee shall receive no salaries, but shall be entitled to receive from the appropriation hereinafter set up a per diem of not to exceed \$35.00 per day while actually engaged in the performance of the duties of the Committee, and in addition thereto, such necessary expenses as are incurred by them in the performance of their duties; provided, however, that no per diem hereunder shall be paid to any member of the Legislature during the period when the Legislature is in session. The committee is authorized and empowered to pay such assistants, investigators, accountants and other employees, such sums from time to

Per diem allowed.

Exception.

Payment to
assistants.

time as may be deemed necessary in order to carry out the purposes of this Act.

Report and
accounting.

Section 6. The Committee shall make full reports from time to time of all of its activities, its findings, recommendations and actions to the Governor and members of the Legislature; the first of which reports shall be made not later than July 1, 1953, and it shall make a full and complete report, which shall include an audited accounting of all sums disbursed hereunder, to the next session of the legislature, whether regular or special. Such reports shall be kept confidential until released by the Legislature, except when a majority of the Committee shall deem it necessary to disclose such reports.

Reports
confidential.

Appropriation.

Section 7. There is hereby appropriated the sum of \$75,000.00, or so much thereof as is necessary, to carry out the provisions of this Act, from funds not otherwise appropriated in the Territorial Treasury.

Severability
clause.

Section 8. If any provision of this Act or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Emergency clause.

Section 9. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.

CHAPTER 63

AN ACT

[S. B. 45]

To promote the public health of the people of the Territory of Alaska and to provide for the premarital physical examinations and serological tests; prescribing powers and duties of the Commissioner of Health; defining offenses and prescribing penalties: amending Chapter 64 Session Laws of Alaska 1949.