

vestigation and these fall into three different types:

- I. Those granting power to investigate.
- II. Those granting the power and setting a limit thereon.
- III. Those which set a limit only.

I. Those granting power to investigation.

A. GENERAL:

Ala. art. IV, § 53; Ark. art. V, §12; Colo. art. V, § 12; Pa. art. II, § 11; *e.g.*, “. . . and the two houses shall have all the powers necessary for the legislation of a free state.” Ala. art. IV, § 53.

B. SPECIFIC:

Ky. art. 39; Md. art. III, § 24; Miss. art. IV, § 60; Ohio art. II, § 8; *e.g.*, “. . . may empower legislative committees to . . . send for persons and papers, and generally make legislative investigations effective.” Miss. art. IV, § 60.

II. Those granting the power and setting a limit thereon:

“Either house shall have power to compel attendance of witness upon any investigations held by itself, or by any of its committees: the manner of the exercise of such power shall be provided by law.” Fla. art. III, § 10.

III. Those which set a limit only:

- A. “No person shall be deprived of life, liberty, or property, without

due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.” Alaska art. I, § 7.

- B. “Every person has the right to the protection of law against abusive attacks on his honor, reputation and private or family life.” P.R. art. III, § 8.

MODEL STATE CONSTITUTION

The Model State Constitution contains the following provision in Article IV, Section 4.09 on the legislative branch:

“. . . and it shall have power to compel the attendance and testimony of witnesses and the production of books and papers either before such house of the legislature as a whole or before any committee thereof. . . .”⁶

In the commentary on this proposed provision, it is stated that:

“Legislative investigations (which need not be specifically authorized, being implicit in the power to legislate) are aided by the express enumeration of the powers to compel the attendance and testimony of witnesses and the production of documents before the legislature as a whole or before any of its committees. . . .”⁷

⁶ NATIONAL MUNICIPAL LEAGUE, MODEL STATE CONSTITUTION 7 (6th ed. 1963).

⁷ *Id.* at 53.