

Received in the Senate: 1/15/24; Introduced: 1/16/24  
 Referred: Judiciary

Received in the House: 1/15/24; Introduced: 1/16/24  
 Referred: State Affairs

### EXECUTIVE ORDER NO. 133

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
 2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
 4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
 6 administration to transfer the duties of the Criminal Justice Information Advisory Board to the  
 7 Department of Public Safety. Additionally, with the transfer of these functions, I find there is  
 8 no longer a need for a Criminal Justice Information Advisory Board and its elimination will  
 9 promote the efficient administration of the criminal history repository and other criminal  
 10 justice information systems.

11 \* **Sec. 2.** AS 12.62 is amended by adding a new section to read:

12 **Sec. 12.62.105. Duties of the department regarding criminal justice**  
 13 **information.** The department shall advise criminal justice agencies on matters  
 14 pertaining to the development and operation of the central repository described in  
 15 AS 12.62.110(1) and other criminal justice information systems, including providing  
 16 advice about regulations and procedures, and estimating the resources and costs of  
 17 those resources, needed to carry out the provisions of this chapter.

18 \* **Sec. 3.** AS 12.62.110 is amended to read:

19 **Sec. 12.62.110. Duties of the commissioner regarding information systems.**

20 The commissioner shall

21 (1) develop and operate a criminal justice information system to serve  
 22 as the state's central repository of criminal history record information, and to collect,  
 23 store, and release criminal justice information as provided in this chapter;

24 (2) [CONSULT WITH THE BOARD ESTABLISHED BY  
 25 AS 12.62.100 REGARDING MATTERS CONCERNING THE OPERATION OF

1 THE DEPARTMENT'S CRIMINAL JUSTICE INFORMATION SYSTEMS;

2 (3) provide a uniform crime reporting system for the periodic  
3 collection, analysis, and reporting of crimes, and compile and publish statistics and  
4 other information on the nature and extent of crime in the state;

5 (3) [(4)] cooperate with other agencies of the state, the criminal record  
6 repositories of other states, the Interstate Identification Index, the National Law  
7 Enforcement Telecommunications System, the National Crime Information Center,  
8 and other appropriate agencies or systems, in the development and operation of an  
9 effective interstate, national, and international system of criminal identification,  
10 records, and statistics; and

11 (4) [(5)] in accordance with AS 44.62 (Administrative Procedure Act),  
12 adopt regulations necessary to implement the provisions of this chapter; in adopting  
13 the regulations, the commissioner may consult with affected law enforcement agencies  
14 regarding the fiscal implications of the regulations; regulations may not be adopted  
15 under this section that affect procedures of the court system.

16 \* **Sec. 4.** AS 12.62.120(a) is amended to read:

17 (a) The commissioner, by regulation and after consultation with [THE  
18 BOARD AND] affected agencies, may designate which criminal justice agencies are  
19 responsible for reporting the events described in (b) of this section. An agency  
20 designated under this subsection shall report the events described in (b) of this section  
21 to the department, at the time, in the manner, and in the form specified by the  
22 department.

23 \* **Sec. 5.** AS 12.62.150(c) is amended to read:

24 (c) Every two years the department shall undertake an audit, and every four  
25 years shall obtain an independent audit, of the department's criminal justice  
26 information system that serves as the central repository and of a sample of other state  
27 and local criminal justice information systems, to verify adherence to the requirements  
28 of this chapter and other applicable laws. [THE DEPARTMENT SHALL PROVIDE  
29 TO THE BOARD THE FINAL REPORT OF EACH AUDIT.]

30 \* **Sec. 6.** AS 12.62.100 and 12.62.900(3) are repealed.

31 \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 TRANSITION. (a) The terms of the members of the Criminal Justice Information  
3 Advisory Board established under AS 12.62.100 terminate on the effective date of this Order.

4 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
5 repealed or amended by this Order, or in connection with functions transferred this Order,  
6 continue in effect and may be continued and completed notwithstanding a transfer, repeal, or  
7 amendment provided for in this Order.

8 (c) Agreements, contracts, rights, liabilities, and obligations created by or under a law  
9 repealed or affected by this Order, and in effect on the effective date of this Order, remain in  
10 effect notwithstanding this Order's taking effect.

11 (d) Certificates, orders, and regulations in effect on the effective date of this Order  
12 that were issued or adopted under the authority of a law amended or repealed by this Order, or  
13 in connection with a function transferred by this Order, remain in effect for the term issued  
14 and shall be enforced by the agency to which the function is transferred under this Order until  
15 revoked, vacated, or amended by the agency to which the function is transferred.

16 (e) Records, equipment, appropriations, and other property of an agency of the state  
17 whose functions are transferred under this Order shall be transferred to implement the  
18 provisions of this Order.

19 \* **Sec. 8.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor