

1 IN THE HOUSE

BY COMMITTEE ON STATE AFFAIRS

2 HOUSE BILL NO. 114

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to organize the executive and
7 administrative offices, departments and
8 agencies of the state government; abolishing,
9 consolidating, and creating certain depart-
10 ments, offices, boards and agencies; defin-
11 ing their powers and duties; providing for
12 related matters of procedure, interpretation
13 and construction of the Act; and providing
14 for an effective date."

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

16 Section 1. SHORT TITLE. This Act shall be known and
17 referred to as the State Organization Act of 1959.

18 Sec. 2. DEPARTMENTS AND OFFICES SPECIFIED. All the admin-
19 istrative powers and duties heretofore vested by law in the several
20 territorial and state offices, departments, boards, commissions,
21 bureaus, and other agencies shall be vested in the following
22 principal departments and offices which are hereby created and
23 established as follows:

- 24 1. Office of the Governor
- 25 2. Department of Administration
- 26 3. Department of Law
- 27 4. Department of Revenue
- 28 5. Department of Education
- 29 6. Department of Health and Welfare

- 1 7. Department of Labor
- 2 8. Department of Commerce
- 3 9. Department of Military Affairs
- 4 10. Department of Natural Resources
- 5 11. Department of Fish and Game
- 6 12. Department of Public Safety
- 7 13. Department of Public Works

8 Sec. 3. POWERS AND DUTIES OF HEADS OF DEPARTMENTS. All the
9 powers and duties conferred by law and required to be performed
10 by the several officers, departments, boards, commissions, bureaus
11 and other administrative agencies at the time of the passage of
12 this Act shall hereafter be exercised, performed, and administered
13 by the heads of the several departments herein specified.

14 Except as otherwise provided by this Act, the head of any
15 state department may assign the functions vested in his department
16 to such subordinate officers and employees as may to him seem
17 desirable and, with the approval of the Governor, may establish
18 within the department such divisions or other administrative or
19 organization units as may seem in the interests of economy and
20 efficiency and in accord with sound administrative principles
21 and practices.

22 The head of each department is empowered to prescribe regula-
23 tions, not inconsistent with law or the rules established by the
24 Governor, for the administration of his department; the conduct of
25 its employees; the distribution and performance of its business;
26 and the custody, use, and preservation of the records, documents,
27 and property pertaining thereto.

28 Sec. 4. SELECTION, QUALIFICATIONS, COMPENSATION AND TERMS
29 OF OFFICE OF EXECUTIVE DEPARTMENT HEADS. The head of every

1 principal executive department shall be appointed by the Governor
2 subject to confirmation by a majority of the members of the Legis-
3 lature in joint session, shall serve at the pleasure of the
4 Governor notwithstanding their respective terms, and shall receive
5 such compensation as may be fixed by law.

6 Sec. 5. DEPARTMENT STAFFS. The heads of departments, except
7 as otherwise provided by this Act, may establish such subordinate
8 positions as may be necessary and make appointments thereto and
9 removals therefrom, within the limitations of the appropriations
10 provided and subject to the provisions of state personnel laws.
11 All appointees to such positions shall be under the supervision,
12 direction, and control of the heads of the respective departments
13 and shall perform such duties as department heads may prescribe.

14 Sec. 6. APPOINTMENT, QUALIFICATIONS, COMPENSATION, AND TERMS
15 OF OFFICE OF MEMBERS OF DEPARTMENTAL BOARDS, COUNCILS OR COMMISSIONS.
16 The term "board" wherever stated in this Act shall include councils
17 and commissions and said terms are hereby declared to be used inter-
18 changeably insofar as substantive provisions are concerned.

19 The members of each appointive board established by this Act
20 shall be citizens of the United States appointed by the Governor,
21 subject to confirmation by a majority of the members of the
22 Legislature in joint session, on the basis of their interest in
23 public affairs, their good judgment, their knowledge and ability in
24 the field of action of the department for which appointed, and with
25 a view to providing diversity of interest and points of view in the
26 membership. Initial appointments of board members shall be, in the
27 case of three-member boards, for one, two, and three years
28 respectively; in the case of five-member boards, for one, two, three,
29 four, and five years respectively; in the case of six-member boards,

1 two members shall serve for one year, two for two years, and two
2 for three years respectively; and in the case of eight-member
3 boards, two members shall serve for one year, two for two years,
4 two for three years, and two for four years respectively. Initial
5 terms shall date from the first of February immediately preceding
6 appointment. Thereafter, terms of board members shall be as here-
7 inafter provided. Vacancies occurring during a term of office
8 shall be filled in the same manner as the original appointment is
9 made and for the balance of the unexpired term. Board members
10 shall hold office at the pleasure of the Governor notwithstanding
11 their respective terms. Members of boards may be compensated for
12 their services at per diem rates to be determined by the Governor
13 and may be reimbursed for actual and necessary expense incurred in
14 connection with and as a result of their work as members of boards.

15 Sec. 7. OFFICE OF THE GOVERNOR. The Office of the Governor
16 shall include the Secretary of State, the Budget Officer, and such
17 staff as the Governor finds necessary to administer properly the
18 executive powers of the State. The Secretary of State is hereby
19 vested with the duties, powers, and responsibilities involved in
20 administering state election laws, appointing all notaries public,
21 and serving as custodian of the State Seal. The functions and
22 authority heretofore performed and exercised by the Canvassing
23 Board are hereby transferred to the Office of the Secretary of
24 State.

25 There is hereby created an agency within the Governor's
26 Office to be known as the Local Affairs Agency to be administered
27 by a Director of Local Affairs. The Director will be appointed by
28 and serve at the pleasure of the Governor. This agency is hereby
29 vested with the duties, powers, and responsibilities involved in

1 the administration of a state program to provide assistance to
2 local communities, including but not limited to assistance in
3 fiscal problems, incorporation and organization problems, legal
4 matters, engineering, purchasing, planning, and the recruitment
5 of technical and specialized personnel. The agency shall provide
6 staff services for the Local Boundary Commission. The functions
7 and authority heretofore performed and exercised by the Alaska
8 Rural Development Board are hereby transferred to the Local Affairs
9 Agency.

10 There is hereby further created within the Local Affairs
11 Agency a Local Boundary Commission consisting of five members for
12 overlapping five-year terms, one to be appointed from each of the
13 four major Senatorial election districts and one from the State at
14 large who will serve as chairman. The Local Boundary Commission
15 is hereby vested with the duties, powers, and responsibilities
16 involved in making studies of local government boundary problems,
17 developing proposed standards and procedures for changing local
18 boundary lines, holding hearings on proposed boundary changes, and
19 in presenting its recommendations to the Legislature.

20 The Office of the Governor is hereby vested with duties,
21 powers, and responsibilities involved in administration of the
22 Alaska Pioneers' Home. The functions and authority heretofore
23 performed and exercised by the Board of Trustees of the Alaska
24 Pioneers' Home, and the Superintendent of the Alaska Pioneers'
25 Home are hereby transferred to the Office of the Governor.

26 Sec. 8. DEPARTMENT OF ADMINISTRATION. There shall be a
27 principal executive officer of the Department of Administration
28 to be known as the Commissioner of Administration.

29 The Department of Administration is hereby vested with the

1 duties, powers, and responsibilities involved in the preparation
2 and execution of the executive budget, including a system of
3 periodic allotments for the regulation of expenditures and making
4 of surveys and studies for the purpose of improving administrative
5 procedures, methods, and organization; in the keeping of general
6 accounts; in the approval of vouchers and disbursement of funds
7 for all purposes; in the operation of centralized purchasing and
8 supply services, including the operation of such storerooms and
9 warehouses as may be necessary; the allotment of space in the
10 state buildings to the various departments according to their
11 needs and the space available; the supervision of telephone,
12 mailing, messenger, duplicating, and other like services adaptable
13 to centralized management; in the administration of a public
14 employees' retirement system and a teachers' retirement system;
15 and in the administration of a statewide personnel program,
16 including such central personnel services as recruitment, examina-
17 tion, position classification, and pay administration.

18 The functions and authority heretofore performed and exer-
19 cised by the Department of Finance; the Director of Finance; the
20 Controller; the Treasurer (except those relating to the receipt,
21 custody, investment and management of all state funds and the
22 bounty program); the Board of Review; the Board of Examiners; the
23 Finance Committee; the Military Department with respect to the
24 Alaska Surplus Property Service; the Teachers' Retirement Board;
25 and the Department of Public Welfare with respect to the distri-
26 bution of surplus property are hereby transferred to the Depart-
27 ment of Administration.

28 Sec. 9. DEPARTMENT OF LAW. There shall be a principal
29 executive officer of the Department of Law to be known as the

1 Attorney General.

2 The Department of Law is hereby vested with the duties,
3 powers, and responsibilities involved in the administration of
4 state legal services, including the furnishing of written legal
5 opinions to the Governor, to the Legislature, and to all state
6 officers and departments as the Governor may direct; the repre-
7 sentation of the State in all civil actions in which the State is
8 a party; the drafting of legal instruments for the State and the
9 prosecution in court of all cases involving violations of state
10 law, provided however, the Department of Law shall undertake no
11 prosecution of criminal actions until such time as the state
12 judiciary has assumed jurisdiction over cases involving violations
13 of state law. All functions and authority heretofore performed
14 and exercised by the Attorney General and the Board of Commission-
15 ers for the Promotion of Uniform Legislation in the United States
16 are hereby transferred to the Department of Law.

17 Sec. 10. DEPARTMENT OF REVENUE. There shall be a principal
18 executive officer of the Department of Revenue to be known as the
19 Commissioner of Revenue.

20 The Department of Revenue is hereby vested with the duties,
21 powers, and responsibilities involved in the enforcement of all
22 tax laws of the State, in the collection, accounting for, custody,
23 investment, and management of all state funds and all revenues of
24 the State except where such revenues are incidental to a program
25 of licensing and regulation carried on by another state department.
26 The Department shall register corporations, collect corporation
27 franchise taxes, and register log and cattle brands; and it shall
28 supply necessary clerical and administrative services for the
29 Alcoholic Beverage Control Board. The functions and authority

1 heretofore performed and exercised by the Department of Taxation,
2 the Commissioner of Taxation; the Department of Finance, the
3 Director of Finance, and the Treasurer, with respect to receipt,
4 custody, investment and management of state funds; registering
5 corporations, collecting the corporation franchise taxes, and
6 registering cattle brands; and by the Department of Labor for
7 registering log brands; and by the Bureau of Vital Statistics of
8 the Department of Health with respect to issuance of and collec-
9 tion of fees for embalmers' licenses are hereby transferred to
10 the Department of Revenue.

11 There is hereby established an Alcoholic Beverage Control
12 Board in the Department of Revenue consisting of three members
13 appointed for overlapping three-year terms; and the Board is here-
14 by vested with the duties, powers, and responsibilities involved
15 in the control of alcoholic beverages, including the promulgation
16 of rules and regulations and the hearing of appeals from the
17 action of officers and employees charged with enforcing the
18 alcoholic beverage control laws, rules, and regulations. The
19 functions and authority heretofore performed and exercised by the
20 Board of Liquor Control are hereby transferred to the Alcoholic
21 Beverage Control Board.

22 Sec. 11. DEPARTMENT OF EDUCATION. There shall be a
23 principal executive officer of the Department of Education to be
24 known as the Commissioner of Education.

25 The Department of Education is hereby vested with the duties,
26 powers, and responsibilities involved in the administration of
27 the State's program of education at the elementary and secondary
28 levels, including programs of vocational education, vocational
29 rehabilitation, library services, and correspondence courses; the

1 administration of the Historical Library and Museum; and the
2 planning, financing, and operation of all related school and
3 educational activities and facilities except that nothing in this
4 Act shall be construed to extend or enlarge the State's functions
5 with respect to independent school systems now established by law.

6 The functions and authority heretofore performed and exercised
7 by the Department of Education, the Board of Education, the Com-
8 missioner of Education; the Historical Library and Museum Commis-
9 sion; the Department of Library Service, the Board of Library
10 Service; the Textbook Commission; the Board of Vocational Rehabili-
11 tation; and the Board of Vocational Education are hereby trans-
12 ferred to the Department of Education.

13 There is hereby created within the Department of Education
14 a Board of Education consisting of six members, appointed for
15 overlapping three-year terms. The principal executive officer
16 shall not be a member of the Board but shall be ex officio
17 secretary and have the right to cast tie-breaking votes only. The
18 Board members shall be appointed by the Governor without regard
19 to political affiliation, subject to confirmation by a majority
20 of the members of the Legislature in joint session. In the
21 appointment of Board members, the Governor shall give considera-
22 tion to recommendations made by recognized educational associa-
23 tions in the State.

24 The Governor shall appoint the Commissioner of Education
25 from a list of qualified persons nominated by the Board of Educa-
26 tion, subject to the right of the Governor to request additional
27 nominations. The appointment shall be subject to confirmation by
28 a majority of the members of the Legislature in joint session.
29 The Commissioner of Education shall serve for a term of 5 years.

1 In the event of a vacancy in the office of Commissioner of
2 Education a successor shall be appointed, in the manner provided
3 for the regular appointment, to fill the unexpired term.

4 The Board may submit a resolution to the Governor requesting
5 the removal of the Commissioner. The resolution shall set forth
6 the grounds for the request and the Governor shall afford the
7 Commissioner and the Board an opportunity to be heard.

8 The Board of Education must confirm programming actions of
9 the Commissioner of Education, except as hereinafter provided,
10 but shall not have administrative, budgeting, or fiscal powers;
11 and such administrative, budgeting, and fiscal power shall reside
12 in the Commissioner of Education.

13 All rules and regulations shall originate with the
14 Commissioner of Education, but shall not become effective until
15 approved by a majority of the Board of Education. In the event
16 the Board of Education fails to approve such rules or regulations,
17 public hearings shall be held concerning the issues in question.
18 If, subsequent to public hearings, the Board and the Commissioner
19 continue to disagree, the issue shall be certified in writing by
20 the Board and the Commissioner to the Governor who shall make a
21 decision thereon, which decision shall be final.

22 Any provision of this Act to the contrary notwithstanding,
23 the Board is hereby vested with the duties, powers, and responsi-
24 bilities involved in reviewing, adopting, approving, and adminis-
25 tering the plans for vocational education and vocational rehabili-
26 tation to be submitted to Federal authorities for the purpose of
27 securing Federal aid.

28 Sec. 12. DEPARTMENT OF HEALTH AND WELFARE. There shall be
29 a principal executive officer of the Department of Health and

1 Welfare to be known as the Commissioner of Health and Welfare.

2 The Department of Health and Welfare is hereby vested with
3 the duties, powers, and responsibilities involved in the adminis-
4 tration of the state programs of public health and welfare,
5 including, but not limited to, maternal and child health services;
6 preventive medical services; public health nursing services;
7 sanitation and engineering services; nutrition services; health
8 education; laboratories; mental health treatment and diagnosis;
9 management of state institutions; medical facilities; old age
10 assistance; aid to dependent children; aid to the blind; child
11 welfare services; general relief; licensing and supervision of
12 child care facilities; and probation and parole supervision. The
13 functions and authority heretofore performed and exercised by the
14 Department of Health, the Board of Health, the Commissioner of
15 Health; the Department of Public Welfare; the Board of Public
16 Welfare, the Commissioner of Public Welfare; the Department of
17 Juvenile Institutions; the Advisory Hospital Council; and the
18 Water Pollution Control Board, are hereby transferred to the
19 Department of Health and Welfare.

20 There is hereby created a Hospital Advisory Council consist-
21 ing of five members appointed for overlapping five-year terms to
22 advise and consult with the Commissioner of Health and Welfare
23 with respect to programs for the construction of hospitals and
24 medical facilities and the development of rules, regulations, and
25 standards for the operation of hospitals. The Council shall have
26 such additional necessary authority and powers relative to the
27 foregoing as may be necessary for the purpose of securing Federal
28 aid.

29 Sec. 13. DEPARTMENT OF LABOR. There shall be a principal

1 executive officer of the Department of Labor to be known as the
2 Commissioner of Labor.

3 The Department of Labor is hereby vested with the duties,
4 powers, and responsibilities involved in the enforcement of laws,
5 and in the promulgation of rules and regulations under such laws,
6 concerned with employer-employee relationships, including the
7 safety, hours of work, wages, and conditions of workers, including
8 women and children; the accumulation, analysis, and reporting of
9 labor statistics; and the operation of systems of workmen's compen-
10 sation and unemployment insurance. The functions and authority
11 heretofore performed and exercised by the Employment Security
12 Commission, the Director of Employment Security, the Alaska
13 Territorial Employment Service, the Territorial Advisory Council,
14 the Alaska Safety Council and Executive Board and the Safety
15 Director; the Department of Labor, the Commissioner of Labor, the
16 Alaska Industrial Board; and the Board for the Care of Sick and
17 Disabled Fishermen are hereby transferred to the Department of
18 Labor.

19 There is hereby created within the Department of Labor an
20 Employment Security Advisory Council consisting of five members
21 appointed by the Governor for overlapping five-year terms, two
22 members to represent employers, two to represent employees, and one
23 to represent the general public.

24 Sec. 14. DEPARTMENT OF COMMERCE. There shall be a principal
25 executive officer of the Department of Commerce to be known as the
26 Commissioner of Commerce.

27 The Department of Commerce is hereby vested with the duties,
28 powers and responsibilities involved in the administration of the
29 state programs relating to commerce and in the enforcement of laws

1 relating thereto, including the promulgation of rules and regula-
2 tions under such laws; the accumulation, analysis, and reporting
3 of commercial and industrial statistics; and the enforcement of
4 state laws regulating public utilities and other public service
5 enterprises, banking and securities, insurance, and other
6 businesses and enterprises touched with a public interest. The
7 Department is also hereby vested with the duties, powers and
8 responsibilities involved in making veterans' loans; the inspection
9 of weights and measures; the promotion and development of civil
10 aviation; and the furnishing of the budgeting, clerical and
11 administrative services for regulatory agencies and professional
12 and occupational licensing boards not otherwise provided for in
13 this Act. The functions and authority heretofore performed and
14 exercised by the Alaska World War II Veterans' Board, the
15 Commissioner of Veterans' Affairs, and the Veterans' Service
16 Council; the Alaska Housing Authority; the Weights and Measures
17 Division of the Department of Territorial Police, the Inspector
18 of Weights and Measures; the Alaska Insurance Commission and the
19 Commissioner of Insurance; the Territorial Banking Board; the
20 Alaska Real Estate Commission; and the Board of Administration
21 with respect to industrial tax incentives are hereby transferred
22 to the Department of Commerce.

23 There is hereby created within the Department of Commerce
24 an Alaska State Housing Authority consisting of three members
25 appointed for overlapping three-year terms; and the corporate
26 status heretofore vested in the Alaska Housing Authority together
27 with all its rights, duties, powers, functions, assets, liabilities,
28 debts and claims is hereby transferred to the Alaska State Housing
29 Authority.

1 Sec. 15. DEPARTMENT OF MILITARY AFFAIRS. There shall be a
2 principal executive officer of the Department of Military Affairs
3 to be known as the Adjutant General.

4 The Department of Military Affairs is hereby vested with the
5 duties, powers, and responsibilities involved in the conduct of
6 military affairs of the State as prescribed by the Military Code
7 of Alaska. The functions and authority heretofore performed and
8 exercised by the Military Department and the Adjutant General,
9 except those relating to the Alaska Surplus Property Service, are
10 hereby transferred to the Department of Military Affairs.

11 Sec. 16. DEPARTMENT OF NATURAL RESOURCES. There shall be
12 a principal executive officer to be known as the Commissioner of
13 Natural Resources.

14 The Department of Natural Resources is hereby vested with
15 the duties, powers, and responsibilities involved in the adminis-
16 tration of the entire state program for the conservation and
17 development of the State's natural resources including tourism,
18 forests, parks and recreational areas, lands, waters, agriculture,
19 soil conservation and minerals including petroleum and natural
20 gas; but excluding commercial fisheries, sport fish, game, and
21 fur-bearing animals in their natural state. The functions and
22 authority heretofore performed and exercised by the Department
23 of Lands, the Land Board, and the Director of Lands; by the
24 Department of Mines, the Commissioner of Mines, the Coal Miners'
25 Examining Board, and the Oil and Gas Conservation Commission;
26 and by the Alaska Resource Development Board and its Executive
27 Director; the Soil Conservation Board, by the Department of
28 Agriculture, and by the Commissioner of Agriculture, except
29 those relating to public health, are hereby transferred to the

1 Department of Natural Resources.

2 Sec. 17. DEPARTMENT OF FISH AND GAME. There shall be a
3 principal executive officer of the Department of Fish and Game to
4 be known as the Commissioner of Fish and Game.

5 The Department of Fish and Game is hereby vested with the
6 duties, powers, and responsibilities involved in the administration
7 of the entire state program for the conservation and development
8 of the State's commercial fisheries, sport fish, birds, game and
9 fur-bearing animals. The functions and authority heretofore
10 performed and exercised by the Alaska Department of Fish and Game,
11 the Alaska Fish and Game Commission, the Director of the Alaska
12 Department of Fish and Game, the Fisheries Experimental Commission,
13 and the Treasurer with respect to bounty programs are hereby
14 transferred to the Department of Fish and Game.

15 There is hereby created a Board of Fish and Game consisting
16 of eight members, appointed for overlapping four-year terms. The
17 principal executive officer shall not be a member of the Board but
18 shall be ex-officio secretary and have the right to cast tie-
19 breaking votes only. The Board members shall be appointed by the
20 Governor and confirmed by the Legislature without regard to
21 political affiliation.

22 The Governor shall appoint the Commissioner of Fish and Game
23 from a list of qualified persons nominated by the Board of Fish
24 and Game, subject to the right of the Governor to request addi-
25 tional nominations. The appointment shall be subject to confirma-
26 tion by a majority of the members of the Legislature in joint
27 session. The Commissioner of Fish and Game shall serve for a
28 term of 5 years. In the event of a vacancy in the office of
29 Commissioner of Fish and Game a successor shall be appointed, in

1 the manner provided for the regular appointment, to fill the
2 unexpired term.

3 The Board may submit a resolution to the Governor requesting
4 the removal of the Commissioner. The resolution shall set forth
5 the grounds for the request and the Governor shall afford the
6 Commissioner and the Board an opportunity to be heard.

7 The Board of Fish and Game shall have rule-making powers, as
8 hereinafter provided, but shall not have administrative, budgeting,
9 or fiscal powers and such administrative, budgeting and fiscal
10 power shall reside in the Commissioner of Fish and Game. The
11 Board may meet at any time on the call of the Commissioner or at
12 request of any two of the members.

13 The Board of Fish and Game shall have the authority to make
14 such rules and regulations as it deems advisable for (1) the
15 setting apart of fish and game reserve areas, refuges and sanctu-
16 aries in any of the waters or on any of the lands of Alaska over
17 which it has jurisdiction, subject to approval by the Legislature;
18 (2) establishing open and closed seasons and areas for fish and
19 game; (3) establishing the means and methods employed in the
20 pursuit, capture, and transport of fish and game; and (4) setting
21 quotas and bag limits on the taking of fish and game. In the
22 event of a conflict between the Board and the Commissioner on
23 proposed rules and regulations, public hearings shall be held
24 concerning the issues in question. If, subsequent to the public
25 hearings, the Board and the Commissioner continue to disagree, the
26 issue shall be certified in writing by the Board and the Commis-
27 sioner to the Governor who shall make a decision, which decision
28 shall be final.

29 The Board shall authorize the Commissioner to promulgate,

1 during such times as the Board is not in session, emergency rules
2 or regulations as may be necessary and within the scope of author-
3 ity of the Board.

4 Sec. 18. DEPARTMENT OF PUBLIC SAFETY. There shall be a
5 principal executive officer of the Department of Public Safety to
6 be known as the Commissioner of Public Safety.

7 The State Department of Public Safety is hereby vested with
8 the duties, powers, and responsibilities involved in administering
9 functions relative to the protection of life and property. The
10 functions and authority heretofore performed and exercised by the
11 Department of Territorial Police, except those having to do with
12 weights and measures inspection; by the Police Commission; by the
13 Superintendent of Police; by the Fire Marshal; and by the Depart-
14 ment of Civil Defense are hereby transferred to the Department of
15 Public Safety.

16 Sec. 19. DEPARTMENT OF PUBLIC WORKS. There shall be a
17 principal executive officer of the Department of Public Works to
18 be known as the Commissioner of Public Works.

19 The Department of Public Works is hereby vested with the
20 duties, powers, and responsibilities involved in the construction,
21 maintenance, and operation of all state highways, ferries, roads,
22 bridges, traffic signs and signals, airports, docks, floats, break-
23 waters, buildings and other like facilities; and in the supervision
24 and maintenance of all state equipment, including aircraft, vessels,
25 and automotive and mechanical equipment. The functions and
26 authority heretofore performed and exercised by the Alaska Highway
27 and Public Works Department, the Alaska Highway and Public Works
28 Board, and the Alaska Highway and Public Works Commissioner; by
29 the Department of Aviation, the Aeronautics and Communications

1 Commission, the Director of Aeronautics, and the Supervisor of
2 Communications with respect to the construction, maintenance, and
3 operation of airports and the installation, maintenance, and
4 operation of communications equipment; by the Department of Finance
5 relating to the management, care, and custody of buildings; and
6 by the Board of Education relating to the construction and
7 maintenance of school buildings are hereby transferred to the
8 Department of Public Works.

9 Sec. 20. INTERIM BOARDS. The Governor shall have the
10 authority to establish such interim advisory boards as he may
11 deem necessary, prescribe their functions, authority, and compen-
12 sation; provided, however, no interim board shall remain in exist-
13 ence for a term extending beyond the next regular or reconvened
14 session of the Legislature.

15 Sec. 21. TRANSFER OF FUNCTIONS. Any department to which
16 the functions, powers, and duties of a previously existing depart-
17 ment or other agency are by this Act assigned and transferred
18 shall, for the purpose of succession to all rights, powers, duties,
19 and obligations of the former department or agency, be deemed and
20 held to constitute a continuation of the former department or
21 agency, with the same force and effect as if the functions, powers,
22 and duties had not been assigned or transferred. Whenever any
23 such former agency is referred to by law, contract, or document,
24 such reference shall be deemed to apply to the department in
25 which the functions of such agency are vested by the terms of this
26 Act.

27 Sec. 22. TRANSFER OF RECORDS AND EQUIPMENT. Upon the trans-
28 fer of functions as provided by this Act, all contracts, books,
29 papers, maps, plans, documents, property, and pending business

1 theretofore made, used, acquired, or conducted by any previously
2 existing agency in the exercise of the functions transferred shall
3 be transferred to the department succeeding to such functions.

4 Sec. 23. TRANSFER OF OFFICERS AND EMPLOYEES. All officers
5 and employees whose functions are transferred by this Act from an
6 existing department or agency to a different department created
7 or continued by the terms of this Act shall be transferred with
8 their functions to the department in which their functions, or a
9 major part thereof, are hereby vested, and shall so far as prac-
10 ticable continue to perform their usual duties, subject to the
11 provisions of state personnel laws. The head of each department,
12 in the interest of improved departmental management and subject
13 to the provisions of the state personnel laws and the approval of
14 the Commissioner of Administration, shall have the power to
15 abolish unnecessary offices and positions, to transfer officers
16 and employees between positions, and to change the duties, titles,
17 and compensation of existing offices and positions.

18 Sec. 24. PROSECUTIONS AND CIVIL ACTIONS. No offense com-
19 mitted and no penalty or forfeiture incurred under any of the acts
20 hereby repealed, before the time when this Act shall take effect,
21 shall be affected by the Act except that whenever any punishment,
22 penalty, or forfeiture shall be mitigated by the provisions of
23 this Act, such provision may be extended and applied to any
24 judgment to be pronounced after the passage of this Act. No suit
25 or prosecution pending at the time this Act takes effect shall be
26 affected by this Act except that proceedings in such cases shall
27 be made to conform as necessary to the provisions of this Act.
28 The right of administrative officers to institute proceedings for
29 prosecution for an offense or an action to recover a penalty or

1 forfeiture, as now or hereafter provided by law for any agency or
2 officer, shall henceforth be vested in the head of the department
3 or some person designated by him or as may be directed by law.

4 Sec. 25. OATHS OF OFFICE. Department heads and members of
5 boards provided for in this Act shall, before entering upon the
6 duties of their respective offices, take, subscribe to, and file
7 an oath of office as is required by the Constitution.

8 Sec. 26. SURETY BONDS. Heads of departments and subordinate
9 officials shall furnish corporate surety bonds in such instances
10 and in such amounts as required by law or otherwise determined by
11 the Governor upon recommendation of the Commissioner of Administra-
12 tion. Such bonds shall be paid for by the State and shall be in
13 such form as the Attorney General shall approve.

14 Sec. 27. AGENCIES AND OFFICES ABOLISHED. The agencies and
15 offices hereinafter named are hereby abolished.

16 The Department of Finance, the Director of Finance, the
17 Budget Officer, and the Controller; the Treasurer; the Board of
18 Administration; the Board of Review; the Finance Committee of
19 Alaska; the Board of Examiners; the Attorney General; the Board
20 of Commissioners for the Promotion of Uniform Legislation; the
21 Canvassing Board; the Department of Taxation and the Commissioner
22 of Taxation; the Board of Liquor Control; the Department of
23 Education, the Board of Education, the Board of Vocational
24 Rehabilitation, the Board of Vocational Education, the Teachers'
25 Retirement Board, the Commissioner of Education, and the Textbook
26 Commission; the Alaska Office of Vocational Rehabilitation and
27 the Director; the Alaska Office of Vocational Education; the
28 Historical Library and Museum Commission and the Librarian and
29 Curator; the Department of Library Service, the Board of Library

1 Service, and the Librarian; the Department of Public Welfare, the
2 Board of Public Welfare, and the Commissioner of Public Welfare;
3 the Board of Trustees of Alaska Pioneers' Home and the Super-
4 intendent of the Pioneers' Home; the Board for the Care of Sick
5 and Disabled Fishermen; the Alaska Department of Health, the
6 Board of Health, and the Commissioner of Health; the Water Pollu-
7 tion Control Board; the Hospital Advisory Council; the Board of
8 Juvenile Institutions; the Employment Security Commission, the
9 Employment Security Director, the Alaska Territorial Employment
10 Service, and the Territorial Advisory Council; the Alaska Indus-
11 trial Board; the Department of Labor and the Commissioner of
12 Labor; the Veterans' Service Council; the Alaska World War II
13 Veterans' Board and the Commissioner of Veterans' Affairs; the
14 Agricultural Loan Board; the Territorial Banking Board; the Alaska
15 Insurance Commission and the Commissioner of Insurance; the Anti-
16 Monopoly Board; the Alaska Bus Transportation Commission; the
17 Alaska Safety Council and Executive Board, and the Safety Director;
18 the Alaska Rural Development Board; the Alaska Real Estate Com-
19 mission; the Alaska Housing Authority and the Commissioners of
20 the Authority; the Military Department, the Adjutant General, and
21 the Alaska Surplus Property Service; the Department of Agriculture
22 and the Commissioner of Agriculture; the Conservation Advisory
23 Committee; the Alaska Soil Conservation Board; the Department of
24 Mines and the Commissioner of Mines; the Alaska Ingot Examining
25 Board; the Alaska Fish and Game Department, the Alaska Fish and
26 Game Commission, and the Director of Fish and Game; the Fisheries
27 Experimental Commission; the Alaska Resource Development Board
28 and its Executive Director; the Alaska Oil and Gas Conservation
29 Commission; the Department of Lands, the Alaska Land Board, and

1 the Director of the Department of Lands; the Department of Terri-
2 torial Police, the Police Commissioner, the Superintendent of
3 Police, the Fire Marshal, and the Inspector of Weights and
4 Measures; the Coal Miners' Examining Board; the Department of
5 Civil Defense, the Civil Defense Council, the Director of Civil
6 Defense, and the Deputy Director of Civil Defense; the Alaska
7 Highway and Public Works Department, the Alaska Highway and Public
8 Works Board, and the Alaska Public Works Commissioner; and the
9 Aeronautics and Communications Commission, the Director of Aero-
10 nautics, and the Supervisor of Communications.

11 Sec. 28. APPEALS. The right of appeal to a court of com-
12 petent jurisdiction as provided by law shall not be abridged or
13 impaired by the passage of this Act or by any ruling, decision,
14 or order made by any officer or agency.

15 Sec. 29. CONSTRUCTION. This Act shall be liberally construed
16 in aid of its declared purpose, which is the organization of the
17 departments, offices, and other administrative agencies of the
18 State to provide a unified, integrated, and comprehensive plan
19 of organization for the exercise of all executive and administra-
20 tive functions of the State. The omission in this Act of any
21 citation of any law which makes it mandatory upon or permissive
22 for any department, division, or other agency to perform functions
23 which by this Act are assigned or transferred and placed in the
24 hands of any other department shall not suspend or annul the
25 right of such department created by this Act to carry out such
26 functions where the obvious intent was for such department to
27 do so. Any administrative functions established by law that may
28 not be specifically enumerated in this Act shall be assigned by
29 the Governor to that department which, in accordance with the

1 purpose of this Act, can most appropriately and effectively per-
2 form such activity.

3 Sec. 30. REPEAL OF CONFLICTING LAWS. All laws and parts of
4 laws in conflict herewith are repealed to the extent of such
5 conflict.

6 Sec. 31. SUBSEQUENT LEGISLATION. The provisions of this
7 Act shall not be superseded or modified by any subsequent legis-
8 lation, except to the extent that such legislation shall do so
9 expressly.

10 Sec. 32. SEPARABILITY. The fact that any section, subsec-
11 tion, sentence, clause, or phrase of this Act is declared invalid
12 for any reason shall not affect the remaining portion of this Act.

13 Sec. 33. EFFECTIVE DATE OF ACT. This Act shall take effect
14 upon its passage and approval or upon becoming law without such
15 approval, but in order that there be no interruption of the
16 administrative business of the State, the Governor may, for a
17 period not to exceed 6 months, postpone the actual transfer of all
18 or a portion of the functions from existing departments and agencies
19 to other departments and agencies until such time as the organiza-
20 tion herein provided can be put into full force and effect. Except
21 as otherwise provided, all officers and heads of existing depart-
22 ments, their subordinates and employees, whose functions and
23 duties are preserved by this Act, shall continue to perform the
24 same from the time this Act takes effect in like manner as though
25 they had been appointed or employed after the passage of this Act
26 until successors to said functions and duties are appointed and
27 qualified.