

Introduced: 1/9/84
Referred: Senate: Health, Education and
Social Services, Judiciary
and Finance

House: Health, Education and
Social Services, Judiciary
and Finance

EXECUTIVE ORDER NO. 55

1
2 Under the authority of art. III, sec. 23, of the Alaska Constitution,
3 and in accordance with AS 24.30.130(b), I order the following:

4 * Section 1. FINDINGS. As governor, I find that it would be in the
5 best interests of efficient administration, protection of the public, and
6 reformation of persons convicted of violations of the criminal laws of the
7 state to reorganize penal corrections functions by creating a Department of
8 Corrections as a principal department of the state. The new department is
9 being created from the current division of corrections which is located in
10 the Department of Health and Social Services.

11 * Sec. 2. AS 11.71.305 is amended to read:

12 Sec. 11.71.305. REHABILITATION. A person convicted of violating
13 a provision of this chapter may, when the violation relates to that
14 person's own personal use of a controlled substance, be committed to
15 the custody of the Department of Corrections [HEALTH AND SOCIAL SER-
16 VICES] for rehabilitative treatment for not to exceed one year. Such
17 treatment may be imposed in place of a fine or imprisonment, but only
18 where the imprisonment would not have exceeded one year.

19 * Sec. 3. AS 12.47.050(b) is amended to read:

20 (b) The Department of Corrections [HEALTH AND SOCIAL SERVICES]
21 shall provide mental health treatment to a defendant found guilty but
22 mentally ill. The treatment must continue until the defendant no
23 longer suffers from a mental disease or defect that causes the defen-
24 dant to be dangerous to the public peace or safety. Subject to (c)
25 and (d) of this section, the Department of Corrections [HEALTH AND SO-
26 CIAL SERVICES] shall determine the course of treatment.

27 * Sec. 4. AS 12.47.050(e) is amended to read:

28 (e) Not less than 30 days before the expiration of the sentence
29 of a defendant found guilty but mentally ill, the commissioner of

1 corrections [HEALTH AND SOCIAL SERVICES] shall file a petition under
2 AS 47.30.700 for a screening investigation to determine the need for
3 further treatment of the defendant if

4 (1) the defendant is still receiving treatment under (b) of
5 this section; and

6 (2) the commissioner has good cause to believe that the de-
7 fendant is suffering from a mental illness that causes the defendant
8 to be dangerous to the public peace or safety; as used in this para-
9 graph, "mental illness" has the meaning ascribed to it in AS 47.30.-
10 915.

11 * Sec. 5. AS 12.47.055 is amended to read:

12 Sec. 12.47.055. AS 12.47.050 DOES NOT LIMIT TREATMENT FOR OTHER
13 DEFENDANTS. Nothing in AS 12.47.050 limits the discretion of the
14 court to recommend, or of the Department of Corrections [HEALTH AND
15 SOCIAL SERVICES] to provide, psychiatrically indicated treatment for a
16 defendant who is not adjudged guilty but mentally ill.

17 * Sec. 6. AS 12.55.025(b) is amended to read:

18 (b) The sentencing report required under (a) of this section
19 shall be furnished within 30 days after imposition of sentence to the
20 Department of Law, the defendant, the Department of Corrections [DIVI-
21 SION OF CORRECTIONS], the state Board of Parole if the defendant will
22 be eligible for parole, and to the Alcoholic Beverage Control Board if
23 the defendant is to be sentenced for a conviction of a violation of
24 AS 04, a regulation adopted under AS 04, or an ordinance adopted under
25 AS 04.21.010.

26 * Sec. 7. AS 12.55.025(d) is amended to read:

27 (d) A sentence of imprisonment shall be stayed if an appeal is
28 taken and the defendant is admitted to bail. If an appeal is taken
29 and the defendant is not admitted to bail, the Department of Cor-

1 rections [HEALTH AND SOCIAL SERVICES] shall designate the facility in
2 which the defendant shall be detained pending appeal or admission to
3 bail.

4 * Sec. 8. AS 12.55.055(a) is amended to read:

5 (a) The court may order a defendant convicted of an offense to
6 perform community work as a condition of a suspended sentence or sus-
7 pended imposition of sentence, or in addition to any fine or restitu-
8 tion ordered. If the defendant is also sentenced to imprisonment, the
9 court may recommend to the Department of Corrections [HEALTH AND SO-
10 CIAL SERVICES] that the defendant perform community work.

11 * Sec. 9. AS 12.55.185(2) is repealed.

12 * Sec. 10. AS 12.70.220(b) is amended to read:

13 (b) When the return to this state is required of a person who
14 has been convicted of a crime in this state and has escaped from con-
15 finement or broken the terms of his bail, probation, or parole, the
16 prosecuting attorney of the judicial district in which the offense was
17 committed, or the attorney general, the parole or probation authority
18 having jurisdiction over him, or the commissioner of the Department of
19 Corrections [HEALTH AND SOCIAL SERVICES] shall present to the governor
20 a written application for a requisition for the return of that person.
21 In the application there shall be stated the name of the person, the
22 crime for which he was convicted, the circumstances of his escape from
23 confinement or of the breach of the terms of his bail, probation, or
24 parole, and the state in which he is believed to be, including the lo-
25 cation of the person therein at the time the application is made.

26 * Sec. 11. AS 12.70.220(c) is amended to read:

27 (c) The application shall be verified by affidavit, shall be ex-
28 ecuted in duplicate and shall be accompanied by two certified copies
29 of the indictment returned, or information and affidavit filed, or the

1 complaint made to the superior court judge or district judge, stating
2 the offense with which the accused is charged, or of the judgment of
3 conviction or of the sentence. The attorney general or the prosecut-
4 ing attorney, the parole or probation authority, or the commissioner
5 of the Department of Corrections [HEALTH AND SOCIAL SERVICES] may also
6 attach further affidavits and other documents in duplicate he deems
7 proper to be submitted with the application. One copy of the applica-
8 tion, with the action of the governor indicated by endorsement on the
9 application, and one of the certified copies of the indictment, com-
10 plaint, information and affidavits, or judgment of conviction or sen-
11 tence shall be filed in the office of the governor to remain of record
12 in that office. The other copies of all papers shall be forwarded
13 with the governor's requisition.

14 * Sec. 12. AS 33.05.080(2) is amended to read:

15 (2) "commissioner" means the commissioner of the Department
16 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the
17 commissioner.

18 * Sec. 13. AS 33.15.010 is amended to read:

19 Sec. 33.15.010. STATE BOARD OF PAROLE. There is in the
20 department a board of parole consisting of five members to be
21 appointed by the governor, subject to confirmation by a majority of
22 the members of the legislature in joint session. One of the members,
23 who shall be chairman of the board, shall be a person with training or
24 experience in the field of probation and parole, and that member may
25 be an official or employee of the Department of Health and Social
26 Services [DEPARTMENT] but may not be an official or employee of the
27 department [DIVISION OF CORRECTIONS]. The term of each of the other
28 four members of the board is four years and until a successor is
29 appointed and qualifies. Successors are appointed in the same manner

1 as provided for the board members first appointed. A vacancy shall be
2 filled for the unexpired term.

3 * Sec. 14. AS 33.15.260(2) is amended to read:

4 (2) "commissioner" means the commissioner of the Department
5 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the
6 commissioner;

7 * Sec. 15. AS 33.15.260(4) is amended to read:

8 (4) "department" means the Department of Corrections
9 [HEALTH AND SOCIAL SERVICES].

10 * Sec. 16. AS 33.30.130(a) is amended to read:

11 (a) The commissioner of public safety shall provide for the sub-
12 sistence, care and safekeeping in suitable quarters of a person ar-
13 rested or held under the authority of state law pending arraignment or
14 commitment by a court to the custody of the commissioner of correc-
15 tions [HEALTH AND SOCIAL SERVICES] or to the custody of the keeper or
16 person in charge of a prison facility designated in advance by the
17 commissioner of corrections [HEALTH AND SOCIAL SERVICES].

18 * Sec. 17. AS 33.30.900(1) is amended to read:

19 (1) "commissioner" means the commissioner of the Department
20 of Corrections [HEALTH AND SOCIAL SERVICES] or the commissioner's des-
21 ignee;

22 * Sec. 18. AS 33.30.900(3) is amended to read:

23 (3) "department" means the Department of Corrections
24 [HEALTH AND SOCIAL SERVICES];

25 * Sec. 19. AS 33.32.010(1) is amended to read:

26 (1) develop and operate agricultural, industrial, and ser-
27 vice enterprises employing prisoners under the jurisdiction of the
28 commissioner of corrections [HEALTH AND SOCIAL SERVICES];

29 * Sec. 20. AS 33.32.015 is amended to read:

1 Sec. 33.32.015. POWERS AND DUTIES OF THE COMMISSIONER OF CORREC-
2 TIONS [HEALTH AND SOCIAL SERVICES] [REPEALED EFFECTIVE JULY 1, 1987].

3 (a) The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may
4 establish and administer a correctional industries program that is
5 based on voluntary prisoner participation.

6 (b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]
7 may

8 (1) subject to the Fiscal Procedures Act (AS 37.05), use,
9 purchase, lease, equip, and maintain buildings, machinery, and other
10 equipment, and may purchase materials and enter into contracts, which
11 may be necessary for the correctional industries program;

12 (2) provide for prisoners to be employed in rendering ser-
13 vices and producing articles, materials, and supplies needed by a
14 state agency, a political subdivision of the state, an agency of the
15 federal government, other states or their political subdivisions, or
16 for use by nonprofit organizations;

17 (3) if the Correctional Industries Commission established
18 in AS 33.32.070 approves, employ prisoners to provide services or
19 products as needed by private industry if the services or products
20 have potential for contributing to the economy of the state and will
21 have minimal negative impact on an existing private industry or labor
22 force in the state.

23 * Sec. 21. AS 33.32.020(a) is amended to read:

24 (a) There is established in the Department of Corrections
25 [HEALTH AND SOCIAL SERVICES] a fund to be known as the correctional
26 industries fund. All expenses of the correctional industries program,
27 except salaries and benefits of state employees, are to be financed
28 from the correctional industries fund and budgeted in accordance with
29 the Executive Budget Act (AS 37.07). The commissioner of corrections

1 [HEALTH AND SOCIAL SERVICES TO] shall report annually to the legisla-
2 ture all activities and balances of the fund.

3 * Sec. 22. AS 33.32.030 is amended to read:

4 Sec. 33.32.030. MARKETING OF CORRECTIONAL INDUSTRIES PRODUCTS
5 [REPEALED EFFECTIVE JULY 1, 1987]. (a) The commissioner of correc-
6 tions [HEALTH AND SOCIAL SERVICES] shall market correctional indus-
7 tries products to appropriate entities as provided for in AS 33.32.-
8 015(b)(2). Because of the potential for contributing to the economy
9 of the state, agricultural produce may be sold to commercial proces-
10 sors, wholesalers, or distributors, in addition to the entities pro-
11 vided for in AS 33.32.015(b)(2).

12 (b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]
13 may sell a product or service of a correctional industries program to
14 a private industry, subject to the approval of the Correctional Indus-
15 tries Commission established in AS 33.32.070. Before giving its ap-
16 proval, the Correctional Industries Commission must determine that the
17 product or service has potential for contributing to the economy of
18 the state and will have minimal negative impact on an existing private
19 industry or labor force in the state.

20 (c) A product or service provided by correctional industries
21 that meets marketable standards of quality and that meets the needs of
22 state agencies at reasonable cost, as determined by the commissioner
23 of administration, shall be purchased by state agencies through proce-
24 dures established by the Department of Administration in such a manner
25 as to facilitate the purchase. A product or service of the type and
26 quality of that supplied by the correctional industries may not be ob-
27 tained from a source outside correctional industries unless the com-
28 missioner of corrections [HEALTH AND SOCIAL SERVICES] certifies to the
29 Department of Administration that correctional industries is not able

1 to provide the product or service on a basis that is competitive with
2 other sources. State agencies shall make maximum use of the resources
3 of the correctional industries program both in the purchase of exist-
4 ing products and by assisting in the development of new products or
5 adaptation of existing products to meet future needs.

6 (d) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]
7 shall periodically determine the prices at which products and services
8 will be sold. Prices must approximate the fair market value of prod-
9 ucts and services of comparable quality offered by commercial sources.

10 (e) The commissioner of administration shall establish suitable
11 methods of accounting and purchasing to facilitate the production and
12 marketing of correctional industries products and to assure accurate
13 cost data.

14 * Sec. 23. AS 33.32.040(a) is amended to read:

15 (a) In administering the correctional industries program, the
16 Department of Corrections [HEALTH AND SOCIAL SERVICES] shall comply
17 with federal and state health and safety regulations, except for the
18 provision of workers' compensation under AS 23.30.

19 * Sec. 24. AS 33.32.050 is amended to read:

20 Sec. 33.32.050. WAGES OF CORRECTIONAL INDUSTRIES WORKERS; FOR-
21 FEITURE [REPEALED EFFECTIVE JULY 1, 1987]. (a) The commissioner of
22 corrections [HEALTH AND SOCIAL SERVICES] shall establish a pay plan
23 for prisoners working in correctional industries based on the quantity
24 and quality of work performed and the skill required. A wage estab-
25 lished under the pay plan may not exceed 50 percent of the minimum
26 wage established under AS 23.10.065. Wage incentive plans to increase
27 productivity may be included in the pay plan. The commissioner of
28 corrections [HEALTH AND SOCIAL SERVICES] shall determine the amount to
29 be credited to the prisoner after disbursements made under (c) of this

1 section.

2 (b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]
3 may establish a wage for work performed in the production of a product
4 that is higher than the maximum wage authorized under (a) of this sec-
5 tion to comply with federal law or regulation if that compliance is
6 required before the product may be sold to the federal government.

7 (c) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]
8 shall disburse prisoners' payments in amounts determined to be appro-
9 priate under procedures adopted by the commissioner based on the fol-
10 lowing order of priority:

11 (1) for support of the prisoner's dependents, if any;

12 (2) to reimburse the state for compensation awarded under
13 AS 18.67 resulting from the prisoner's criminal conduct;

14 (3) to pay a civil judgment resulting from the prisoner's
15 criminal conduct;

16 (4) for the purchase of clothing and commissary items for
17 the prisoner's personal use;

18 (5) to pay a restitution or fine of the prisoner ordered by
19 a sentencing court.

20 (d) Money credited to a prisoner must be retained by the commis-
21 sioner of corrections [HEALTH AND SOCIAL SERVICES] for the primary
22 purpose of being available to the prisoner at the time of release.
23 The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may, how-
24 ever, permit the prisoner to draw upon a portion of the money for oth-
25 er purposes that the commissioner of corrections [HEALTH AND SOCIAL
26 SERVICES] considers appropriate.

27 (e) If a prisoner escapes, a portion of the earnings of the pri-
28 soner, as determined by the commissioner of corrections [HEALTH AND
29 SOCIAL SERVICES], is to be forfeited. The commissioner of corrections

1 [HEALTH AND SOCIAL SERVICES] shall deposit forfeited earnings in the
2 general fund.

3 * Sec. 25. AS 33.32.060 is amended to read:

4 Sec. 33.32.060. LIMITATION ON ATTACHMENT, ETC., OF WAGES [RE-
5 PEALD EFFECTIVE JULY 1, 1987]. Only the prisoner payments retained
6 by the commissioner of corrections [HEALTH AND SOCIAL SERVICES] under
7 AS 33.32.050(d) are subject to lien, attachment, garnishment, execu-
8 tion, or similar procedures to encumber funds or property.

9 * Sec. 26. AS 33.32.070(a) is amended to read:

10 (a) The Correctional Industries Commission is established to
11 provide general policy direction to the correctional industries pro-
12 gram through the commissioner of corrections [HEALTH AND SOCIAL SER-
13 VICES]. The commission consists of seven members, five of whom are to
14 be appointed by the governor to serve staggered terms of four years.
15 The appointed members must include a representative of private indus-
16 try, organized labor, agriculture, and the general public, and one
17 ex-offender. The commissioner of administration is also a member, as
18 is the commissioner of corrections [HEALTH AND SOCIAL SERVICES] who is
19 to serve as chairperson.

20 * Sec. 27. AS 33.32.080(a) is amended to read:

21 (a) The Correctional Industries Commission shall monitor the
22 correctional industries program, annually review the proposed budget
23 of the program, and make appropriate recommendations to the commis-
24 sioner of corrections [HEALTH AND SOCIAL SERVICES]. This budget must
25 be transmitted in the normal budgetary process to the legislature as
26 part of the governor's budget.

27 * Sec. 28. AS 33.32.080(c) is amended to read:

28 (c) The Correctional Industries Commission shall recommend to
29 the commissioner of corrections [HEALTH AND SOCIAL SERVICES] the

1 advisability of establishing, expanding, diminishing, or discontinuing
2 industrial, agricultural, or service activities to enable the program
3 to operate as nearly as possible in a self-supporting manner, to pro-
4 vide as much employment for prisoners as is feasible, to provide di-
5 versified work activities with minimal negative impact on an existing
6 private industry or labor force in the state, and contribute to the
7 economy of the state. In making recommendations, the Correctional In-
8 dustries Commission shall consider testimony received at public hear-
9 ings.

10 * Sec. 29. AS 33.32.090 is amended to read:

11 Sec. 33.32.090. COOPERATION WITH STATE AGENCIES [REPEALED EFFEC-
12 TIVE JULY 1, 1987]. With the approval of the commissioner of correc-
13 tions [HEALTH AND SOCIAL SERVICES], a state agency may, without
14 charge, transfer to the Department of Corrections [HEALTH AND SOCIAL
15 SERVICES] for the correctional industries program any property or
16 equipment suitable for the purposes of that program.

17 * Sec. 30. AS 33.35.010 (Article III(b) of the Agreement on Detainers)
18 is amended to read:

19 (b) The written notice and request for final disposition re-
20 ferred to in paragraph (a) of this article shall be given or sent by
21 the prisoner to the warden, commissioner of corrections [HEALTH AND
22 SOCIAL SERVICES] or other official having custody of the prisoner
23 [HIM], who shall promptly forward it together with the certificate to
24 the appropriate prosecuting official and court by registered or certi-
25 fied mail, return receipt requested.

26 * Sec. 31. AS 33.35.010 (Article III(c) of the Agreement on Detainers)
27 is amended to read:

28 (c) The warden, commissioner of corrections [HEALTH AND SOCIAL
29 SERVICES] or other official having custody of the prisoner shall

1 promptly inform the prisoner [HIM] of the source and contents of any
2 detainer against the prisoner [HIM], and shall also inform the prison-
3 er [HIM] of the [HIS] right to make a request for final disposition of
4 the indictment, information or complaint on which the detainer is
5 based.

6 * Sec. 32. AS 33.35.010 (Article III(d) of the Agreement on Detainers)
7 is amended to read:

8 (d) Any request for final disposition made by a prisoner under
9 paragraph (a) of this article shall operate as a request for final
10 disposition of all untried indictments, informations or complaints on
11 the basis of which detainers have been lodged against the prisoner
12 from the state to whose prosecuting official the request for final
13 disposition is specifically directed. The warden, commissioner of
14 corrections [HEALTH AND SOCIAL SERVICES] or other official having cus-
15 tody of the prisoner shall notify all appropriate prosecuting officers
16 and courts in the several jurisdictions within the state to which the
17 prisoner's request for final disposition is being sent of the pro-
18 ceedings being initiated by the prisoner. Any notification sent under
19 this paragraph shall be accompanied by copies of the prisoner's writ-
20 ten notice, request, and the certificate. If trial is not had on any
21 indictment, information or complaint contemplated by this article be-
22 fore the return of the prisoner to the original place of imprisonment,
23 that indictment, information or complaint is of no further force or
24 effect, and the court shall enter an order dismissing it with preju-
25 dice.

26 * Sec. 33. AS 33.35.040 is amended to read:

27 Sec. 33.35.040. CENTRAL ADMINISTRATOR AND INFORMATION AGENT.
28 The commissioner of corrections [HEALTH AND SOCIAL SERVICES] or the
29 designee of the commissioner of corrections [HEALTH AND SOCIAL

1 SERVICES] is the central administrator of and information agent for
2 the Agreement on Detainers under AS 33.35.010.

3 * Sec. 34. AS 33.36.040 is amended to read:

4 Sec. 33.36.040. IMPLEMENTATION. The commissioner of corrections
5 [HEALTH AND SOCIAL SERVICES] or the commissioner's designee shall do
6 all things necessary or incidental to the carrying out of the Inter-
7 state Corrections Compact. However, no contract is of any force or
8 effect until approved by the commissioner of administration.

9 * Sec. 35. AS 33.36.100 is amended to read:

10 Sec. 33.36.100. IMPLEMENTATION OF COMPACT. The commissioner of
11 corrections [HEALTH AND SOCIAL SERVICES] may enter into such contracts
12 on behalf of the State of Alaska as may be appropriate to implement
13 the participation of this state in the Western Interstate Corrections
14 Compact under art. III of the compact. No contract is of any force or
15 effect until approved by the commissioner of administration.

16 * Sec. 36. AS 41.20.110(b) is amended to read:

17 (b) As an aid to the construction and maintenance of trails and
18 campsites under (a) of this section, the commissioner of corrections
19 [HEALTH AND SOCIAL SERVICES] is authorized to establish a program that
20 would allow prisoners to volunteer for work on the trails and camp-
21 sites. The commissioner is authorized to grant remuneration for the
22 work, either in money or reduction of sentence, which the commissioner
23 [HE] considers sufficient.

24 * Sec. 37. AS 44.17.005 is amended by adding a new paragraph to read:

25 (18) Department of Corrections.

26 * Sec. 38. AS 44 is amended by adding a new chapter to read:

27 CHAPTER 28. DEPARTMENT OF CORRECTIONS.

28 Sec. 44.28.010. COMMISSIONER OF CORRECTIONS. The principal exe-
29 cutive officer of the Department of Corrections is the commissioner of

1 corrections.

2 Sec. 44.28.020. DUTIES OF DEPARTMENT. The Department of Correc-
3 tions shall administer the state programs of corrections, including
4 (1) state adult penal institutions, (2) probation and parole supervi-
5 sion, and (3) extraditions and detainers.

6 Sec. 44.28.030. REGULATIONS. The commissioner may adopt regula-
7 tions to carry out or assist in carrying out the powers and duties of
8 the department.

9 * Sec. 39. AS 44.29.020(9) is amended to read:

10 (9) management of state institutions, except for adult pen-
11 al institutions;

12 * Sec. 40. AS 44.29.020(17) is repealed.

13 * Sec. 41. AS 47.08.050(8) is amended to read:

14 (8) medical services currently provided to persons in the
15 custody of the Department of Corrections [DIVISION OF CORRECTIONS];

16 * Sec. 42. AS 47.17.020(a)(4) is amended to read:

17 (4) peace officers, and officers of the Department of Cor-
18 rections [DIVISION OF CORRECTIONS];

19 * Sec. 43. AS 47.21.010(b)(1) is amended to read:

20 (1) certain delinquent juveniles in the custody of the De-
21 partment of Health and Social Services [DIVISION OF CORRECTIONS];

22 * Sec. 44. AS 47.30.845(5) is amended to read:

23 (5) the Department of Corrections [DIVISION OF CORRECTIONS]
24 in a case in which a prisoner confined to the state prison is a pa-
25 tient in the state hospital on authorized transfer either by voluntary
26 admission or by court order;

27 * Sec. 45. AS 47.37.040(3) is amended to read:

28 (3) cooperate with the Department of Corrections [DIVISION
29 OF CORRECTIONS] in establishing and conducting programs to provide

1 treatment for alcoholics and intoxicated persons in or on parole from
2 penal institutions;

3 * Sec. 46. TRANSFER OF CUSTODY OF PRISONERS FOUND GUILTY BUT MENTALLY
4 ILL. Upon the effective date of this Order, the commissioner of health and
5 social services shall transfer to the custody of the commissioner of cor-
6 rections all persons who have been found guilty but mentally ill and are in
7 the custody of the commissioner of health and social services as a result
8 of those findings.

9 * Sec. 47. TRANSITION. All litigation, hearings, investigations and
10 other proceedings pending under a law amended or repealed by this Order, or
11 in connection with functions transferred by this Order, continue in effect
12 and may be continued and completed notwithstanding a transfer or amendment
13 or repeal provided for in this Order. Certificates, orders, and regula-
14 tions issued or adopted under authority of a law amended or repealed by
15 this Order remain in effect for the term issued, or until revoked, vacated,
16 or otherwise modified under the provisions of this Order. All contracts,
17 rights, liabilities, and obligations created by or under a law amended or
18 repealed by this Order, and in effect on the effective date of this Order,
19 remain in effect notwithstanding this Order's taking effect. Records,
20 equipment, and other property of agencies of the state whose functions are
21 transferred under this Order shall be transferred commensurate with the
22 provisions of this Order.

23 * Sec. 48. NAME CHANGE. To be consistent with the changes made by this
24 Order, wherever in the Alaska Statutes and in regulations adopted under
25 those statutes "division of corrections" appears, and "division," "depart-
26 ment," and "Department of Health and Social Services" appear in connection
27 with administering the correctional institutions of the state (except those
28 for juvenile offenders), they must be read as referring to the Department
29 of Corrections. Similarly, wherever "director of corrections" appears, and

1 "director," "commissioner," and "commissioner of health and social ser-
2 vices" appear in connection with administering the correctional institu-
3 tions of the state (except those for juvenile offenders), they must be read
4 as referring to the commissioner of corrections. Under AS 01.05.031, the
5 revisor of statutes shall implement this section in the statutes, and, un-
6 der AS 44.62.125(b)(6), the regulations attorney shall implement this sec-
7 tion in the administrative regulations.

8 * Sec. 49. This Order takes effect March 9, 1984.

9 DATED: Jan 9, 1984

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11 Bill Sheffield
12 Bill Sheffield, Governor
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