

SB

90

ALASKA STATE LEGISLATURE

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Charlie Huggins
Senator

24-LS0459\1

SPONSOR STATEMENT

SENATE BILL 90

Alaska Territorial Guard Day

Senate Bill 90 would declare October 18 as Alaska Territorial Guard Day.

December 7, 1941, Japanese forces bombed Pearl Harbor in a surprise attack on the United States Navy. Around six months later, the Japanese seized the islands of Attu and Kiska and bombed Dutch Harbor killing forty-three Americans. Soon after, Governor Ernest Gruening was assigned two military aides to assist him in forming the Alaska Territorial Guard in order to protect and defend the US Territory that was Alaska. The first, Captain Carl Schneibner, was responsible for organizing the Guard in the Interior. The second, Major Marvin "Muktuk" Marston, was responsible for organizing the Guard on the Bering and Arctic Coasts. These two men went to their recruiting areas with a message from the President of the United States and the Governor of Alaska, asking for help in defending the Alaska Territory. Their combined efforts resulted in a total number of about 6,500 predominately Alaskan Native men signing up to defend their Territory, Country and the general good of all mankind. Dressed in WWI uniforms and shouldering Enfield rifles, the Alaska Territorial Guard succeeded in defending Alaska until its disbandment in the month of March 1947. After the disbandment, Gov. Gruening included members into the regular Alaska National Guard as scout battalions.

Until the year of 2004, these valiant volunteers had not been recognized as veterans. On October 18, the first members of the Alaska Territorial Guard were recognized by the United States Army as Veterans. This bill is dedicated to the memory of those who served so bravely for our great state.

Contact Information:
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FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSB 90(STA)
 (S) Publish Date: 2/18/05

Revision Date/Time (Note if correction): _____ Dept. Affected: All
 Title An Act Relating to Alaska Territorial RDU _____
 Component _____
 Sponsor Huggins, et al Component No. _____
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Brad Pierce Phone _____
 Division OMB Date/Time 2/17/05 12:42 PM
 Approved by: _____ Date 2/17/2005
 Agency _____

ALASKA STATE LEGISLATURE
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Adopted by the Senate

Date: February 23, 2005

Letter of Intent

CS SENATE BILL 90 (STA)
February 18, 2005

It is the intent of the Alaska State Legislature in passing this bill to establish October 18 of each year to acknowledge and commemorate the service of members of the Alaska Territorial Guard in defense of Alaska and the United States during World War II.

On December 7, 1941, Japanese forces bombed Pearl Harbor in a surprise attack on the United States Navy. Six months later the Alaska islands of Attu and Kiska were seized and Dutch Harbor was bombed by the Japanese. The attack on Alaska resulted in the deaths of 43 Americans.

With the arrival of war, Alaska's National Guard was pressed into federal service leaving most of the Interior and Western coastal regions of the territory with inadequate protection. Alaska Governor Ernest Gruening sought and received permission from Congress to organize a volunteer civilian militia, thus the Alaska Territorial Guard was formed.

Captain Carl Schneibner and Major Marvin "Muktuk" Marston were responsible for organizing the guard in the Interior Region and the Bering and Arctic Regions, respectively. The two men went to their regions with a recruitment message from the President of the United States and the Governor of Alaska. The people of Alaska responded.

The guard was made up of some 6,500 Alaskans who were predominantly Alaska Natives and served in defense of Alaska from 1942, through World War II, until 1947. On October 18, 2004, the first members of the Alaska Territorial Guard were recognized as veterans by the United States Army. It is appropriate that the State of Alaska commemorate the service of the Alaska Territorial Guard.

This bill is dedicated to the memory of those who served so bravely for our great state.

COMMITTEE COPY

- (8) the 18th of October, known as Alaska Day;
- (9) the 11th of November, known as Veterans' Day;
- (10) the fourth Thursday in November, known as Thanksgiving Day;
- (11) the 25th of December, known as Christmas Day;
- (12) every Sunday;
- (13) every day designated by public proclamation by the President of the United States or the governor of the state as a legal holiday.

(b) For employment purposes, Martin Luther King, Jr.'s Birthday is a legal holiday for state employees who

- (1) are not covered by a collective bargaining agreement; or
- (2) are covered by a collective bargaining agreement whose terms
 - (A) include by name Martin Luther King, Jr.'s Birthday; or
 - (B) have been amended to substitute a holiday on the third Monday of January for Martin Luther King, Jr.'s Birthday in place of another paid holiday. (§ 1-1-6 ACLA 1959; am § 1 ch 183 SLA 1959; am § 1 ch 37 SLA 1969; am § 1 ch 5 SLA 1973; am § 1 ch 109 SLA 1973; am §§ 1, 2 ch 109 SLA 1989)

NOTES TO DECISIONS

Applied in *In re Dalton*, 8 Alaska 338 (D. Alaska 1932).

Cited in *Jefferson v. Moore*, 354 P.2d 373 (Alaska 1960).

Collateral references. — 73 Am. Jur. 2d, Sundays and Holidays, § 1 et seq.
40 C.J.S., Holidays, § 1 et seq.
Validity of statute or ordinance prohibiting or regulating sports and games on Sunday. 24 ALR2d 813.
Validity, under establishment of religion clause of federal or state constitution, of provision making day of religious observance a legal holiday. 90 ALR3d 752.

Validity and construction of Sunday closing or blue laws, 10 ALR4th 246.
Validity, under federal and state establishment of religion provisions, of prohibition of sale of intoxicating liquors on specific religious holidays. 27 ALR4th 1155.
Scheduling election on religious holiday as violation of federal constitutional rights. 44 ALR Fed. 886.

Sec. 44.12.020. Holiday falling on Sunday. If a holiday listed in AS 44.12.010 except AS 44.12.010(a)(12), falls on a Sunday, Sunday and the following Monday are both legal holidays. (§ 1-1-6 ACLA 1949; am § 1 ch 183 SLA 1959; am § 2 ch 37 SLA 1969)

Sec. 44.12.025. Holiday falling on Saturday. If a holiday listed in AS 44.12.010 falls on a Saturday, the Saturday and the preceding Friday are both legal holidays for officers and employees of the state. (§ 1 ch 40 SLA 1966)

Article 2. Designated Days of Honor.

Section

- 30. Wickersham Day
- 40. Anthony J. Dimond Day
- 50. Ernest Gruening Day
- 55. Bob Bartlett Day
- 60. William A. Egan Day
- 65. Elizabeth Peratrovich Day
- 70. Alaska Flag Day
- 72. Alaska Day of Prayer
- 75. Family day and family preservation month

Section

- 76. Prisoners of War and Missing in Action Recognition Days
- 78. Women Veterans Day
- 80. Pearl Harbor Remembrance Day
- 85. Dutch Harbor Remembrance Day
- 90. Juneteenth Day
- 95. Drunk Driving Victims Remembrance Day
- 98. Avalanche Awareness Month

Sec. 44.12.030. Wickersham Day. August 24 is designated Wickersham Day in honor of James Wickersham, and is the occasion for school assemblies with appropriate programs, and other suitable observances and exercises by civic groups and the public in general. (§ 2 ch 63 SLA 1949)

Sec. 44.12.040. Anthony Dimond Day in honor of "Ti" Dimond assemblies and programs, and the public at large. (§ 2)

Sec. 44.12.045. Martin Luther King, Jr. Birthday

Cross references. — For current law, see AS 44.12.010.

Sec. 44.12.050. Ernest Gruening Day February 6 of each year to honor Ernest Gruening for his lifetime of service to the state. This day may be observed by suitable observances and exercises by the public. (§ 1 ch 13 SLA 1984)

Sec. 44.12.055. Bob Bartlett Day year to honor E.L. "Bob" Bartlett for his public service to Alaska and his observances and exercises by the public.

Sec. 44.12.060. William A. Egan Day 8 of each year to honor William A. Egan for his lifetime of service to the state. This day may be observed by suitable observances and exercises by the public. (SLA 1985)

Sec. 44.12.065. Elizabeth Peratrovich Day lished on February 16 of each year to honor Elizabeth Peratrovich for her discrimination and bring about equality for all. This day may be observed by suitable observances and exercises by the public. (SLA 1988)

Cross references. — For legal authority, see sec. 1, ch. 65, SLA 1988 in the Temporary Act.

Sec. 44.12.070. Alaska Day year to honor the creation of the state and its importance as a symbol of our observances and exercises by the public.

Sec. 44.12.072. Alaska Day of Prayer the first Thursday in May each year for united prayer to give thanks for our state and our nation. (§ 2)

Cross references. — For legal authority, see the enactment of this section in SLA 1997 in the 1997 Temporary Act.

Sec. 44.12.075. Family Day established on May 1 of each year. This day may be observed by suitable observances and exercises by the public. (SLA 1997)

Sec. 44.12.040. Anthony J. Dimond Day. November 30 is designated Anthony J. Dimond Day in honor of "Tony" Dimond, and shall be observed by appropriate school assemblies and programs, and other suitable observances and exercises by civic groups and the public at large. (§ 2 ch 3 SLA 1955)

Sec. 44.12.045. Martin Luther King Day. *[Repealed, § 3 ch 109 SLA 1989.]*

Cross references. — For current law, see AS 44.12.010.

Sec. 44.12.050. Ernest Gruening Day. Ernest Gruening Day is established on February 6 of each year to honor Ernest Gruening, doctor, editor, and statesman, for a lifetime of service to the territory and state of Alaska and the nation. Ernest Gruening Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 13 SLA 1984)

Sec. 44.12.055. Bob Bartlett Day. Bob Bartlett Day is established on April 20 of each year to honor E.L. "Bob" Bartlett, the "architect of Alaska statehood," for a lifetime of public service to Alaska and the nation. Bob Bartlett Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 12 SLA 1984)

Sec. 44.12.060. William A. Egan Day. William A. Egan Day is established on October 8 of each year to honor William "Bill" Egan, the first governor of the state of Alaska, for a lifetime of service to the territory and state of Alaska. William A. Egan Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 18 SLA 1985)

Sec. 44.12.065. Elizabeth Peratrovich Day. Elizabeth Peratrovich Day is established on February 16 of each year to honor Elizabeth Peratrovich, past Grand President of the Alaska Native Sisterhood, for her courageous, unceasing efforts to eliminate discrimination and bring about equal rights in Alaska. Elizabeth Peratrovich Day may be observed by suitable observances and exercises by civic groups and the public. (§ 2 ch 65 SLA 1988)

Cross references. — For legislative findings, see sec. 1, ch. 65, SLA 1988 in the Temporary and Special Acts.

Sec. 44.12.070. Alaska Flag Day. Alaska Flag Day is established on July 9 of each year to honor the creation of the design of the official flag of the state by Benny Benson and its importance as a symbol of the state. Alaska Flag Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 120 SLA 1992)

Sec. 44.12.072. Alaska Day of Prayer. The Alaska Day of Prayer is established on the first Thursday in May each year as an opportunity for residents of all faiths to join in united prayer to give thanks for blessings received, to request healing for wounds endured, to ask divine guidance for our leaders, and to bring wholeness to the citizens of our state and our nation. (§ 2 ch 11 SLA 1997)

Cross references. — For legislative findings concerning the enactment of this section, see § 1, ch. 11, SLA 1997 in the 1997 Temporary and Special Acts.

Sec. 44.12.075. Family day and family preservation month. Family Day is established on May 1 of each year to celebrate the institution of the family. The month of May each year is established as Preservation of the Family Month to encourage the

preservation of the institution of the family. Family Day and Preservation of the Month may be observed by suitable observances by families, such as a family exercise of the role of families, the rights and responsibilities of children and parents, appropriate methods for the resolution of violent feelings in family conflicts, and exercises by civic groups and the public. In observance of Family Preservation Month, the Department of Health and Social Services shall encourage the prevention of child abuse and neglect in Alaska families. (§ 2 ch 4 SLA 1994)

Cross references. — For legislative findings in connection with the enactment of this section, see § 1, ch. 4, SLA 1994 in the Temporary and Special Acts.

Sec. 44.12.076. Prisoners of War and Missing in Action Recognition.

(a) Former Prisoners of War Recognition Day is established on April 9 of each year to recognize and honor all former prisoners of war (POWs) from our nation's wars who were returned home. These POWs repeatedly demonstrated their devotion to duty, honor, and country, despite enduring captivity and sometimes brutal treatment by their captors. The governor shall issue a proclamation to commemorate the day, and the POW/MIA flag shall be flown that day at sites identified by the governor. Former POW Recognition Day may be observed by suitable observances and exercises by civic groups and the public.

(b) Prisoners of War and Missing in Action Recognition Day is established on the first Friday of September each year to honor all prisoners of war (POWs) and those missing in action (MIAs), unaccounted for from all our nation's wars or who died in captivity. These POWs and MIAs repeatedly demonstrated their devotion to duty, honor, and country, despite enduring captivity and sometimes brutal treatment by their captors. The fact that those unaccounted for and missing in action from our nation's wars causes considerable uncertainty for their families, friends, fellow soldiers, and veterans. This day is also an occasion for Alaskans to remember our country's enormous responsibility to do everything possible to account for those still missing in action. The governor shall issue a proclamation to commemorate the day, and the POW/MIA flag shall be flown that day at sites identified by the governor. POW and MIA Recognition Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 10 SLA 2000)

Legislative history reports. — For Governor's transmittal letter concerning the enactment of this section by sec. 1, ch. 10, SLA 2000 (SB 236), see 2000 Senate Journal 2157.

Sec. 44.12.078. Women Veterans Day. Women Veterans Day is established on November 9 of each year to acknowledge and commemorate the sacrifices endured and valor displayed by American women veterans and to recognize their increasing role in the military. The governor shall issue a proclamation to commemorate Women Veterans Day. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 10 SLA 2000)

Legislative history reports. — For Governor's transmittal letter concerning the enactment of this section by sec. 1, ch. 10, SLA 2000 (SB 236), see 2000 Senate Journal 2157.

Sec. 44.12.080. Pearl Harbor Remembrance Day. Pearl Harbor Remembrance Day is established on December 7 of each year to commemorate the attack on Pearl Harbor on December 7, 1941, and to honor the individuals who died as a result of the attack. The governor shall issue a proclamation to commemorate the day and shall direct that the Alaska flag be flown at half-mast on that day. Pearl Harbor Remembrance Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 28 SLA 1995)

Sec. 44.12.085. Dutch Harbor Remembrance Day. Dutch Harbor Remembrance Day is established on June 3 of each year to commemorate the attack on Dutch Harbor

June 3, 1942, and to honor the inhabitants of Attu and Kiska who were in Japan until the end of the war. The governor shall also honor the servicemen who died in the attack. The governor shall also honor for their diligence. The governor shall issue a proclamation to commemorate the day. The governor shall direct that the Alaska flag be flown at half-mast on that day. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 28 SLA 1995)

Revisor's notes. — Enacted as a Special Act and numbered in 1995.

Sec. 44.12.090. Juneteenth Day. Juneteenth Day is established on June 19 of each year to commemorate the day in 1865 when the Thirteenth Amendment to the United States Constitution was ratified, which abolished slavery throughout the United States. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 66 SLA 2001)

Sec. 44.12.095. Drunk Driving Remembrance Day. Drunk Driving Remembrance Day is established on November 10 of each year to commemorate the lives lost to drunk driving. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 66 SLA 2001)

Revisor's notes. — Enacted as a Special Act and numbered in 2001.

Sec. 44.12.098. Avalanche Awareness Day. Avalanche Awareness Day is established on November 10 of each year to raise awareness of the dangers of avalanches and to encourage individuals to take appropriate precautions when in avalanche areas. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 2 ch 10 SLA 2004)

Cross references. — For a statute relating to the provisions of this section, see § 1, ch. 10, SLA 2004, in the 2004 Special Acts.

Article

Section 44.12.200. State agency office hours

Sec. 44.12.200. State agency office hours. The extent practicable, state agency office hours shall be scheduled to the public shall schedule office hours at the times most convenient to the employees working 40 hours or more per week and shall review the most suitable state agency the most suitable shall periodically review it. (b) In this section, "state agency" means a state division, authority, public

... e 3, 1942, and to honor the individuals who died as a result of the attack and those inhabitants of Attu and Kiska who fell into enemy hands three days later and were held captive in Japan until the end of World War II. On Dutch Harbor Remembrance Day the day servicemen who died in 1943 while recapturing Attu and Kiska from the Japanese also honored for their diligent service to the United States and to the state. The governor shall issue a proclamation to commemorate Dutch Harbor Remembrance Day and shall direct that the Alaska flag be flown at half-mast on that day. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 38 SLA 1995)

Revisor's notes. — Enacted as AS 44.12.080. Re-numbered in 1995.

Sec. 44.12.090. Juneteenth Day. Juneteenth Day is established on the third Saturday in June each year to commemorate the abolition of slavery throughout the United States and its territories in 1865. The governor shall issue a proclamation to commemorate the day. On Juneteenth Day, citizens of the state are urged to reflect on the suffering endured by early African-Americans and to appreciate the unique freedom and equality enjoyed by all state citizens today. (§ 1 ch 9 SLA 2001)

Sec. 44.12.095. Drunk Driving Victims Remembrance Day. Drunk Driving Victims Remembrance Day is established on July 3 of each year to commemorate the victims of drunk driving. The governor shall issue a proclamation to commemorate the day. The day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 66 SLA 2001)

Revisor's notes. — Enacted as AS 44.12.090. Re-numbered in 2001.

Sec. 44.12.098. Avalanche Awareness Month. The month of November each year is established as Avalanche Awareness Month. Avalanche Awareness Month may be observed by schools, community groups, and other public and private agencies and individuals with appropriate activities that increase the public's awareness of avalanche dangers, how to respond to avalanches, and the use of appropriate equipment in avalanche areas. (§ 2 ch 10 SLA 2004)

Cross references. — For a statement of legislative intent relating to the provisions of this section, see § 1, ch. 10, SLA 2004, in the 2004 Temporary and Special Acts.

Effective dates. — Section 2, ch 10, SLA, which enacted this section, became effective June 20, 2004.

Article 3. State Agency Office Hours.

Section
200. State agency office hours

Sec. 44.12.200. State agency office hours. (a) It is the policy of the state that, to the extent practicable, state agency offices that are intended to provide services directly to the public shall schedule the hours of work of their employees so that the offices are open at the times most convenient to the individuals being served and staffed by employees working 40 hours per week. Each office shall review the preferences and needs of its clientele and shall recommend to the commissioner or other executive head of the state agency the most suitable hours of operation for that specific location. Each office shall periodically review its hours of operation.

(b) In this section, "state agency" means a department, institution, board, commission, division, authority, public corporation, committee, or other administrative unit of the