

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 70
HOUSE BILL 119

AN ACT TO RESTRUCTURE AND RENAME THE DEPARTMENT OF MILITARY AND
VETERANS AFFAIRS AS THE DEPARTMENT OF CRIME CONTROL AND PUBLIC
SAFETY.

The General Assembly of North Carolina enacts:

CRIME AND SAFETY DEPARTMENT CREATED AND CONSTITUTED

Section 1. A new Article 5A is added to G.S. Chapter 143B to read as follows:

"ARTICLE 5A.

"DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

"PART 1. GENERAL PROVISIONS.

"§ 143B-256. **Department of Crime Control and Public Safety – creation.** — There is hereby created and constituted a department to be known as the 'Department of Crime Control and Public Safety', with the organization, powers, and duties defined in Article 1 of this Chapter, except as modified in this Article.

"§ 143B-256.1. **Department of Crime Control and Public Safety – duties.** — It shall be the duty of the Department of Crime Control and Public Safety to provide assigned law enforcement and emergency services to protect the public against crime and against natural and man-made disasters; to plan and direct a coordinated effort by the law enforcement agencies of State government and to insure maximum cooperation between State and local law enforcement agencies in the fight against crime; to prepare annually a State plan for the State's criminal justice system; to serve as the State's chief coordinating agency to control crime, to insure the safety of the public and to insure an effective and efficient State criminal justice system; to have charge of investigations of criminal matters particularly set forth in this Article and of such other crimes and areas of concern in the criminal justice system as the Governor may direct; to regularly patrol the highways of the State and enforce all laws and regulations respecting travel and the use of vehicles upon the highways of the State and all laws for the protection of the highways of the State; to provide national guard troops trained by the State to federal standards; to insure the preparation, coordination, and currency of military and civil preparedness plans and the effective conduct of emergency operations by all participating agencies to sustain life, and prevent, minimize, or remedy injury to persons and damage to property resulting from disasters caused by enemy attack or other hostile actions or from disasters due to natural or man-made causes; and to develop a plan for a coordinated and integrated electronic communications system for State government and cooperating local agencies, including coordination and integration of existing electronic communications systems.

"§ 143B-256.2. **Department of Crime Control and Public Safety – functions.** — (a) All functions, powers, duties and obligations heretofore vested in the following subunits of the following departments are hereby transferred to and vested in the Department of Crime Control and Public Safety:

- (1) The National Guard, Department of Military and Veterans Affairs;
- (2) Civil Preparedness, Department of Military and Veterans Affairs;
- (3) State Civil Air Patrol, Department of Military and Veterans Affairs;

- (4) State Highway Patrol, Department of Transportation;
- (5) State Board of Alcoholic Control Enforcement Division, Department of Commerce;
- (6) Governor's Crime Commission, Department of Natural and Economic Resources;
- (7) Crime Control Division, Department of Natural and Economic Resources;
- (8) Criminal Justice Information System Board, Department of Natural and Economic Resources; and
- (9) Criminal Justice Information System Security and Privacy Board, Department of Natural and Economic Resources.

(b) The department shall perform such other functions as may be assigned by the Governor.

(c) All such functions, powers, duties and obligations heretofore vested in any existing agency in Article 5 of Chapter 143B of the General Statutes are hereby transferred to and vested in the Department of Crime Control and Public Safety, except as otherwise provided by the Executive Organization Act of 1973, as amended.

"§ 143B-256.3. Department of Crime Control and Public Safety – head. — (a) The head of the Department of Crime Control and Public Safety is the Secretary of Crime Control and Public Safety, who shall be known as the Secretary. The Secretary shall have such powers and duties as are conferred on him by this Chapter, delegated to him by the Governor, and conferred on him by the Constitution and laws of this State.

(b) The Secretary, through appropriate subunits of the department, shall, at the request of the Governor, provide assistance to State and local law enforcement agencies, district attorneys, judges, and the Department of Correction, when called upon by them and so directed.

(c) In the event that the Governor, in the exercise of his constitutional and statutory responsibilities, shall deem it necessary to utilize the services of more than one subunit of State government to provide protection to the people from natural or man-made disasters or emergencies, including but not limited to wars, insurrections, riots, civil disturbances, or accidents, the Secretary, under the direction of the Governor, shall serve as the chief coordinating officer for the State between the respective subunits so utilized.

"PART 2.

"North Carolina National Guard.

"§ 143B-257. North Carolina National Guard. — The North Carolina National Guard as provided for in G.S. Chapter 127A is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 3.

"North Carolina Civil Preparedness Agency.

"§ 143B-257.5. North Carolina Civil Preparedness Agency. — The State Civil Preparedness Agency as provided for in G.S. Chapter 166 is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 4.

"State Civil Air Patrol.

"§ 143B-257.10. State Civil Air Patrol. — The State Civil Air Patrol as provided for in G.S. 167-2 is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 5.

"State Highway Patrol Division.

"§ 143B-257.15. State Highway Patrol. — The State Highway Patrol as provided for in Article 4 of G.S. Chapter 20 is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 6.

"Alcohol Law Enforcement Division.

"§ 143B-257.20. State Board of Alcoholic Control Enforcement Division. — The State Board of Alcoholic Control Enforcement Division as provided for in Part 2 of Article 2 of G.S. Chapter 18A is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 7.

"Governor's Crime Commission.

"§ 143B-257.25. Governors Crime Commission. — The Governor's Crime Commission as provided for in Part 23 of Article 7 of G.S. Chapter 143B and 1977 Session Laws Chapter 11 is hereby transferred by a Type II transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety.

"PART 8.

"Crime Control Division.

"§ 143B-257.30. Crime Control Division. — The Crime Control Division, Department of Natural and Economic Resources, as provided for in Part 23 of Article 7 of G.S. Chapter 143B and 1977 Session Laws Chapter 11 is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Crime Control and Public Safety."

—NATIONAL GUARD/CONFORMING CHANGES

Sec. 2. Whenever the words "Department of Military and Veterans Affairs" are used in G.S. 127A-1 through G.S. 127A-195, as said sections appear in the 1975 Supplement to 1974 G.S. Replacement Volume 3B, the same shall be deleted and the words "Department of Crime Control and Public Safety" shall be inserted in lieu thereof.

Sec. 3. A new Section G.S. 127A-17.1 is added to G.S. Chapter 127A, as the same appears in the 1975 Supplement to 1974 G.S. Replacement Volume 3B, to read as follows:

"§ 127A-17.1. Confidentiality of national guard records. — Notwithstanding any provision of G.S. Chapter 143B, no records of the national guard in the Department of Crime Control and Public Safety shall be disclosed or used for any purpose except for official purposes, and no records shall be disclosed, destroyed or used in any manner which is in violation of any existing federal law or regulation. Nothing in this Chapter shall convert records which are the property of the federal government into State property."

—CIVIL PREPAREDNESS/CONFORMING CHANGES

Sec. 4. Whenever the words "Department of Military and Veterans Affairs" are used in the provisions of G.S. 166-1 through G.S. 166-12, the same shall be deleted and the words "Department of Crime Control and Public Safety" shall be inserted in lieu thereof.

—CIVIL AIR PATROL/CONFORMING CHANGES

Sec. 5. Whenever the words "Department of Military and Veterans Affairs" are used in the provisions of G.S. 167-2, the same shall be deleted and the words "Department of Crime Control and Public Safety" shall be inserted in lieu thereof.

—STATE HIGHWAY PATROL/CONFORMING CHANGES

Sec. 6. The first sentence of subsection (a) of G.S. 20-185, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is rewritten to read as follows:

"The State Highway Patrol shall consist of a commanding officer, who shall be appointed by the Governor and whose rank shall be designated by the Governor, and such additional subordinate officers and members as the Secretary of Crime Control and Public Safety, with the approval of the Governor, shall direct."

Sec. 7. Subsection (f) of G.S. 20-185, as it appears in the 1975 Supplement to Volume 1C of the General Statutes, is amended on line 4 by inserting the words "of Motor Vehicles, Department of Transportation," after the word "Division", and is further amended on line 4 by inserting the words "of the Division of Motor Vehicles, Department of Transportation" immediately after the word "section".

Sec. 8. Subsection (f) of G.S. 20-185, as it appears in the 1975 Supplement to Volume 1C of the General Statutes, is further amended in line 5 by adding the words "of Motor Vehicles" immediately after the word "Commissioner".

Sec. 9. G.S. 20-186 is rewritten to read as follows:

"§ 20-186. **Oath of office.** — Each member of the State Highway Patrol shall subscribe and file with the Secretary of Crime Control and Public Safety an oath of office for the faithful performance of his duties."

Sec. 10. The third paragraph of G.S. 20-188, as it appears in the 1975 Supplement to Volume 1C of the General Statutes, is rewritten to read as follows:

"The Secretary of Crime Control and Public Safety shall direct the officers and members of the State Highway Patrol in the performance of such other duties as may be required for the enforcement of the motor vehicle laws of the State."

Sec. 11. G.S. 20-191, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is rewritten to read as follows:

"§ 20-191. **Use of facilities.** — Office space and other equipment and facilities of the Division of Motor Vehicles, Department of Transportation, presently being used by the State Highway Patrol shall continue to be used by the patrol, and joint use of space, equipment and facilities between any division of the Department of Transportation and the State Highway Patrol may continue, unless such arrangements are changed by agreements between the Secretary of Crime Control and Public Safety and the Secretary of Transportation."

Sec. 12. Subsection (a) of G.S. 20-194 is rewritten to read as follows:

"(a) All expenses incurred in carrying out the provisions of this Article shall be paid out of the highway fund."

Sec. 13. Whenever the words "Commissioner of Motor Vehicles" are used in the provisions of G.S. 20-184 through G.S. 20-196.3 (except in the case of G.S. 20-185(f) as amended above), the same shall be deleted and the words "Secretary of Crime Control and Public Safety" shall be inserted in lieu thereof.

Sec. 14. Whenever the words "Division of State Highway Safety and Patrol" are used in the provisions of G.S. 20-184 through G.S. 20-196.3, the same shall be deleted and the words "State Highway Patrol Division" shall be inserted in lieu thereof.

Sec. 14.1. G.S. 20-196.3 as it appears in the 1975 Cumulative Supplement to 1975 Replacement Volume 1C is amended on line 3 immediately after the words "Secretary of" by deleting the words "the Department of Transportation" and inserting in lieu thereof the words "Crime Control and Public Safety".

Sec. 15. Whenever the words "Division of Motor Vehicles" are used in the provisions of G.S. 20-184 through G.S. 20-196.3, the same shall be deleted and the words "Department of Crime Control and Public Safety" shall be inserted in lieu thereof.

—STATE BOARD OF ALCOHOLIC CONTROL/CONFORMING CHANGES

Sec. 15.1. G.S. 18A-15, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is amended by rewriting subsection (1) to read as follows:

"(1) In conjunction with the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety, to see that all the laws relating to the sale and control of intoxicating liquor are observed and performed."

Sec. 15.2. G.S. 18A-15, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is further amended by inserting in line 14 of subsection (12) between the word "Board" and the word "and" the following words and punctuation: ", the Alcohol Law Enforcement Division,".

Sec. 16. Subsection (15) of G.S. 18A-15, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is rewritten to read as follows:

- "(15) To appoint or commission one or more hearing officers who shall have the full authority to make investigations, hold hearings, and make findings of fact. Upon the approval by the State board of the findings and orders of suspension or revocation of the permit of any licensee made and entered by any such hearing officer, the findings of such hearing officer shall be deemed to be the findings and the order of the board."

Sec. 17. G.S. 18A-19 is rewritten to read as follows:

"§ 18A-19. Department of Crime Control and Public Safety, Alcohol Law Enforcement Division – responsibilities. — (a) The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety shall have the responsibility to enforce the provisions of this Chapter and Article 5 of G.S. Chapter 90 in controlling the sale, purchase, transporting, manufacture and possession of intoxicating liquors and controlled substances in the State, to perform investigatory and other duties, as directed by the Secretary of Crime Control and Public Safety, as may be required for the enforcement of the rules and regulations of the State Board of Alcoholic Control, and to perform such other duties as may be assigned by the Secretary of Crime Control and Public Safety or the Governor, as provided in Article 5A of G.S. Chapter 143B.

(b) The Secretary of Crime Control and Public Safety shall have the power and authority to appoint or commission Alcohol Law Enforcement Agents (previously referred to as State A.B.C. Officers) and other enforcement personnel authorized under Part 2 of this Article, and to appoint a 'Director of the Alcohol Law Enforcement Division,' who shall be in charge of the Alcohol Law Enforcement Division.

(c) The Secretary of Crime Control and Public Safety may commission as Alcohol Law Enforcement Agents such regular employees of the State Board of Alcoholic Control as the Secretary of Crime Control and Public Safety designates for the purpose of enforcing the provisions of this Chapter.

(d) Any person commissioned as an Alcohol Law Enforcement Agent shall have statewide jurisdiction. Such officers shall have the same powers and authorities as law enforcement officers generally and may arrest as authorized in G.S. 15A-401.

Before any person commissioned as an Alcohol Law Enforcement Agent shall exercise any power of arrest under this Chapter, he shall take the oath required of public officers before an officer authorized to administer oaths.

(e) All Alcohol Law Enforcement Agents shall have authority to investigate the operation of the licensed premises of all persons licensed under this Chapter, to examine the books and records of such licensee, to procure evidence with respect to violations of this Chapter or any rules and regulations adopted thereunder, and to perform such other duties as prescribed by law or regulation. Alcohol Law Enforcement Agents shall have the right to enter any licensed premises in the State in the performance of their duty, at any hour of the day or night. Refusal by a permittee or by any employee of a permittee to permit such officers to enter the premises shall be cause for revocation or suspension of the permit of the permittee.

(f) Notices, orders, or demands issued by the State Board of Alcoholic Control for the surrender of permits may be served and executed by Alcohol Law Enforcement Agents, and these officers, while serving and executing such notices, orders, or demands, shall have all the power and authority possessed by law enforcement officers when serving and executing a warrant charging a violation of the criminal laws of the State."

Sec. 18. Subsection (a) of G.S. 18A-22 is amended in line 2 by deleting the word "State" and inserting in lieu thereof the following words: "Alcohol Law Enforcement Agents".

Sec. 19. G.S. 18A-38, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is amended by rewriting the third sentence of subsection (a) to read as follows: "With the assistance of the Alcohol Law Enforcement Division of the Department

of Crime Control and Public Safety, the Board shall inquire into the character of the applicant and the location, general appearance, and type of place or business of the applicant."

Sec. 19.1. G.S. 18A-39 is amended in the last sentence of subsection (b) by deleting the words "Enforcement Division" and inserting in lieu thereof the words: "Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety".

Sec. 20. Subsection (a) of G.S. 18A-41, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is amended by deleting the words "State A.B.C. Officers" from the first sentence of the first paragraph, and from the fourth and sixth sentences of the second paragraph, and by substituting in lieu thereof the words "Alcohol Law Enforcement Agents".

Sec. 20.1. G.S. 18A-47 is amended by rewriting subdivision (a)(2) to read as follows:

"(2) To test wines (fortified or unfortified) possessed or offered for sale or sold in this State and to make chemical or laboratory analyses of said wines or to determine in any other manner whether said wines meet the standards established by the Board."

Sec. 20.2. G.S. 18A-47 is further amended by rewriting subsection (c) to read as follows:

"(c) Manufacturers, wineries, bottlers, and wholesalers, or any other persons selling wine (fortified or unfortified) for the purpose of resale, whether on their own account or for or on behalf of other persons, shall upon request of the State A.B.C. Board or the Director of the Alcohol Law Enforcement Division, furnish a verified statement of a laboratory analysis of any wine sold or offered for sale by such persons."

Sec. 20.3. G.S. 18A-47 is further amended by adding the following new subsection (e):

"(e) The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety is authorized and empowered to test wines (fortified and unfortified) possessed or offered for sale or sold in this State and to make chemical or laboratory analyses of said wines or to determine in any other manner whether said wines meet the standards established by the State Board of Alcoholic Control; to confiscate and destroy any wines (fortified or unfortified) not meeting said standards; to enter and inspect any premises upon which said wines (fortified and unfortified) are possessed or offered for sale; to examine any and all books, records, accounts, invoices, or other papers or data which in any way relate to the possession or sale of said wines."

Sec. 20.4. G.S. 18A-48 is rewritten to read as follows:

"§ 18A-48. Standards for malt beverages. — (a) The State Board of Alcoholic Control is authorized to fix such standards for malt beverages as are determined by the Board to best protect the public against beverages containing deleterious, harmful, or impure substances or elements, or an improper balance of elements, and against spurious or imitation beverages unfit for human consumption. The State Board of Alcoholic Control and the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety are authorized to test malt beverages possessed or offered for sale or sold in this State and to make chemical or laboratory analyses of such beverages or to determine in any other manner whether the beverages meet the standards established by the State Board of Alcoholic Control.

(b) The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety is authorized and empowered to confiscate and destroy any beverages not meeting the standards established by the State Board of Alcoholic Control; to enter and inspect any premises on which such beverages are possessed or offered for sale; to examine any and all books, records, accounts, invoices, or other papers or data which in any way relate to the possession or sale of such beverages; and to take all proper steps for the prosecution of persons violating the provisions of this section and for carrying out the provisions and intent thereof.

(c) The owner of malt beverages confiscated under this section shall be served with written notice to show cause within five days before the State Board of Alcoholic Control why the order should not be made permanent. No beverages may be destroyed until the order is final. The owner shall have the right to appeal from the ruling of the State Board of Alcoholic Control to the Superior Court Division of the General Court of Justice in the county in which the beverages were confiscated within 10 days from the final order of the State Board of Alcoholic Control.

(d) Manufacturers, bottlers, wholesalers, or any other persons selling malt beverages for the purpose of resale, whether on their own account or for or on behalf of other persons, shall, upon the request of the State A.B.C. Board or the Director of the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety furnish a verified statement of a laboratory analysis of any malt beverage sold or offered for sale by such persons."

Sec. 20.5. G.S. 18A-50 is amended in subsection (d) by striking the words "State Board of Alcoholic Control" from the first sentence and by inserting in lieu thereof the words "Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety", and by adding immediately after the words "State Board" at the beginning of the second sentence thereof the words "of Alcoholic Control".

Sec. 21. G.S. 18A-54 is amended by striking the period at the end of the second sentence of subsection (a) and inserting in lieu thereof the following words and punctuation: "and the Secretary of Crime Control and Public Safety."

Sec. 21.1. G.S. 18A-55 is amended by striking the words "representatives of the Board" from the second sentence and by inserting in lieu thereof the words "Alcohol Law Enforcement Agents".

—EXECUTIVE ORGANIZATION ACT OF 1973/CONFORMING CHANGES

Sec. 22. Subsection (4) of G.S. 143B-2, as the same appears in the 1975 Supplement to 1974 G.S. Replacement Volume 3C, is rewritten to read as follows:

"(4) Department of Crime Control and Public Safety".

Sec. 23. Subsection (4) of G.S. 143B-6, as the same appears in the 1975 Supplement to 1974 G.S. Replacement Volume 3C, is rewritten to read as follows:

"(4) Department of Crime Control and Public Safety".

—VETERANS AFFAIRS /TRANSFER

Sec. 24. Part 2 of Article 5 of G.S. Chapter 143B, as it appears in 1974 Replacement Volume 3C of the General Statutes, is revised, renumbered and transferred to Article 9 of G.S. Chapter 143B, so that the transferred part will be numbered "Part 13."

Sec. 25. Former G.S. 143B-252 and G.S. 143B-253, as transferred by Section 24 of this act, are renumbered G.S. 143B-399 and G.S. 143B-400 respectively.

Sec. 26. The Division of Veterans Affairs of the Department of Military and Veterans Affairs as described in Article 5 of G.S. Chapter 143B is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Administration. The Secretary of Administration is hereby empowered and directed to employ within the Department of Administration an additional assistant secretary as Assistant Secretary for Veterans Affairs.

—VETERANS AFFAIRS/CONFORMING CHANGES

Sec. 27. Whenever the words "Department of Military and Veterans Affairs" are used in the provisions of G.S. 143B-252 and G.S. 143B-253, and G.S. 165-1 through G.S. 165-44, the same shall be deleted and the words "Department of Administration" shall be inserted in lieu thereof.

Sec. 28. A new section G.S. 165-11.1 is added to Article 1 of G.S. Chapter 165, to read as follows:

"§ 165-11.1. Confidentiality of Veterans Affairs records. — Notwithstanding any other provisions of G.S. Chapter 143B, no records of the Division of Veterans Affairs in the Department of Administration shall be disclosed or used for any purpose except for official

purposes, and no records shall be disclosed, destroyed or used in any manner which is in violation of any existing federal law or regulation. Nothing in this Chapter shall convert records which are the property of the federal government into State property."

—CRIMINAL JUSTICE TRAIN. & STAND. COUNCIL/CONFORMING CHANGES

Sec. 29. Subdivision (3) of subsection (a) of G.S. 17A-3 is amended in line 3 by striking the words "Department of Motor Vehicles to be selected by the Commissioner of Motor Vehicles", and inserting in lieu thereof the following: "Department of Crime Control and Public Safety to be selected by the Secretary of the Department".

Sec. 30. The second paragraph of subsection (b) of G.S. 17A-3, as it appears in 1975 Replacement Volume 1C of the General Statutes, is amended in line 3 by striking the words "Motor Vehicles" and inserting in lieu thereof the following: "Crime Control and Public Safety,".

—CRIMINAL JUSTICE ED. & TRAIN. SYSTEM/CONFORMING CHANGES

Sec. 31. Subdivision (9) of subsection (a) of G.S. 17B-4, as the same appears in the 1975 Supplement to 1975 G.S. Replacement Volume 1C, is amended in line 5 by striking the words "Commissioner of Motor Vehicles" and inserting in lieu thereof the following: "Secretary of Crime Control and Public Safety".

—REPEAL LAW & ORDER FUNCTIONS IN DEPT. OF NAT. & ECON. RES.

Sec. 32. Subsection (b) of G.S. 143-323, as the same appears in the 1975 Supplement to 1974 G.S. Replacement Volume 3C, is repealed.

—REPEAL DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Sec. 33. Part 1 of Article 5 of G.S. Chapter 143B, as it appears in 1974 Replacement Volume 3C of the General Statutes, is repealed.

—SEVERABILITY

Sec. 34. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions of the act or applications which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

—GENERAL TRANSFER

Sec. 35. All transfers of personnel, equipment, appropriations and functions of an agency or division transferred by this act to the Department of Crime Control and Public Safety shall be completed by July 1, 1977, but the Secretary of Crime Control and Public Safety shall have authority over such personnel, equipment, appropriations and functions transferred by this act upon the effective date of this act.

Sec. 36. All unexpended 1976-77 appropriations and other funds in the administrative section of the Department of Military and Veterans Affairs, and all unexpended 1976-77 appropriations and other funds in the subunits transferred in Section 1 of this act, are hereby transferred to the Department of Crime Control and Public Safety. The department is hereby authorized to utilize funds awarded from the Contingency and Emergency Fund for such additional administrative expenses as may be required for the remainder of the 1976-77 fiscal year.

—EFFECTIVE DATE

Sec. 37. This act shall become effective on April 1, 1977.

In the General Assembly read three times and ratified, this the 14th day of March, 1977.