



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Environmental Conservation

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### **SB 166 – Notice Requirements for State Actions** **Sectional Analysis** **Version 34-GS1506\A**

"An Act relating to notice requirements for certain state actions."

**Section 1:** Updates AS 38.05.073(c) to require the Department of Natural Resources to post notice of recreational facility development leasing on the Alaska Online Public Notice System. Corrects a federal reference from 43 U.S.C. 1601 to 43 U.S.C. 1607. Newspaper or other publications are at the discretion of the Commissioner.

**Section 2:** Amends AS 38.05.073(e) to require the Department of Natural Resources to post solicitations for land leases on the Alaska Online Public Notice System. Newspaper or other publications are at the discretion of the Commissioner.

**Section 3:** Revises AS 38.05.205(a) to require the Department of Natural Resources to post notices for mineral lease issuance on the Alaska Online Public Notice System. Newspaper or other publications are at the discretion of the director.

**Section 4:** Updates AS 38.05.945(b) to require the Department of Natural Resources to post notices for preliminary findings and other agency actions on the Alaska Online Public Notice System for a 30-day public comment period.

**Section 5:** Adds a requirement to AS 44.62.175(a) that the Alaska Online Public Notice System must include notices required under AS 38 and AS 46.

**Section 6:** Amends AS 44.62.190(a) to require agencies to post notices of proposed regulatory actions on the Alaska Online Public Notice System. Makes newspaper publication discretionary rather than mandatory. Newspaper publication is at the discretion of the Commissioner.

**Section 7:** Clarifies AS 44.62.190(f) to require that subject lines in emails and titles in publications accurately reflect the proposed regulatory action.

**Section 8:** Modifies AS 44.62.245(b) to require that notices of amended incorporated documents be posted on the Alaska Online Public Notice System. Makes newspaper publication discretionary rather than mandatory. Newspaper or other publications are at the discretion of the Commissioner.

**Section 9:** Amends AS 44.62.300(b) to clarify that a regulation may not be challenged in court solely due to deficiencies in notice content. Makes newspaper publication discretionary rather than mandatory. Newspaper or other publications are at the discretion of the Commissioner.

**Section 10:** Updates AS 46.03.110(b) to require the Department of Environmental Conservation to post public notice of waste disposal permit applications or draft permits on the Alaska Online Public Notice System. Newspaper or other publication is at the discretion of the Commissioner.

**Section 11:** Amends AS 46.15.065(b) to require the Department of Natural Resources to post notices related to declarations of water appropriation on the Alaska Online Public Notice System for three consecutive weeks. Retains the requirement for certified mail notification to affected parties upon request. Newspaper or other publication is at the discretion of the Commissioner.

**Section 12:** Revises AS 46.15.133(b) to require the Department of Natural Resources to post notices related to proposed water appropriations, removals, or sales on the Alaska Online Public Notice System. Newspaper or other publications are at the discretion of the Commissioner.