

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

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SENATE BILL NO. 29

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRD LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to the Administrative Pro-
cedure Act; and providing for an effective
date."

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

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* Section 1. AS 44.62 is amended by adding new sections to

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read:

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Sec. 44.62.044. FILING PROCEDURAL REGULATIONS. Every
agency shall adopt and send to the secretary of state for
filing procedural regulations which describe its organization
and explain the formal and informal procedures the agency
uses in dealing with the public.

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Sec. 44.62.335. SUPPLEMENTAL PROCEDURES. Each agency
to which secs. 330 - 360 of this chapter apply shall adopt
procedural regulations necessary to supplement the procedures
in those sections.

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Sec. 44.62.356. ADVISORY DECLARATORY RULINGS. Each
agency shall adopt and file procedural regulations describing
how a person may obtain a ruling by the agency as to whether
or not he is covered by a statute or regulation administered
by the agency. Rulings issued under this section are advisory
only, and do not bind the agency or the person requesting the
ruling.

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* Sec. 2. AS 44.62.640(2) is repealed and re-enacted to read:

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(2) "regulation"

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(A) means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the organization or procedure of an agency, regardless of how the agency characterizes the statement;

(B) includes the amendment, supplement or revision of an agency statement described in (2)(A) of this section;

(C) does not mean a form prescribed by an agency, or instructions relating to the use of the form, unless the form contains an agency statement described in (2)(A) of this section which the agency has not adopted and sent to the secretary of state for filing;

(D) does not mean an agency statement that relates only to the internal management of an agency; an agency statement does not relate to internal management if it is used by the agency in dealing with the public or if it directly affects the public;

* Sec. 3. This Act takes effect on September 1, 1963.