

Original sponsors: Fahrenkamp and Sumner

Offered: 5/24/80
Referred: Finance

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 355

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Administrative Journal;
7 and providing for an effective date."

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

9 * Section 1. AS 44.62 is amended by adding a new section to article 3 to
10 read:

11 Sec. 44.62.175. ADMINISTRATIVE JOURNAL. (a) The lieutenant
12 governor shall publish an Alaska Administrative Journal every two weeks.
13 The journal shall include but is not limited to the following:

14 (1) notices of proposed actions given under AS 44.62.190(a);

15 (2) when it becomes available, the text of regulations for
16 which notice is given under AS 44.62.190(a) if the regulations do not
17 exceed 16 legal-size, typewritten pages; in order to remain within
18 budgetary limits, the lieutenant governor may reduce this page limita-
19 tion;

20 (3) notices of state agency meetings required under AS 44.-
21 62.310(e);

22 (4) notices of solicitations to bid issued under AS 37.05.-
23 230;

24 (5) notices of state agency requests for proposals under
25 AS 37.05.230;

26 (6) executive orders and administrative orders issued by the
27 governor; and

28 (7) written delegations of authority made by the governor or
29 by the head of a principal department under AS 44.17.010.

1 (b) When (1) a state agency gives a notice which is to be pub-
2 lished in the journal under (a)(1) or (3) - (5) of this section, (2) the
3 governor issues an executive or administrative order, or (3) the governor
4 or the head of a principal department makes a written delegation of
5 authority under AS 44.17.010, a copy of the notice, order, or delegation
6 shall also be sent at the same time to the lieutenant governor for
7 publication in the Alaska Administrative Journal and to every person who
8 has filed a request for a copy of the notices, orders or delegations
9 with the state agency and has indicated that he wishes to receive it for
10 the purpose of publishing it. If the notice sent to the person is for a
11 proposed regulation, an amendment to a regulation or a repeal of a
12 regulation, the state agency shall also furnish a copy of the proposed
13 regulation, amendment, or order of repeal, except that

14 (1) if the regulation exceeds 16 legal-sized, typewritten
15 pages, a copy need not be furnished, and in order to remain within
16 budgetary limits, the adopting agency may reduce this page limitation;

17 (2) if the regulation has not yet been drafted in its en-
18 tirety, a copy need not be furnished at the time notice is given but,
19 subject to (1) of this subsection, a copy must be furnished at the same
20 time as one is furnished to the Department of Law under AS 44.62.190-
21 (a)(5).

22 (c) The lieutenant governor shall sell subscriptions to the Alaska
23 Administrative Journal at a price reasonably calculated to offset the
24 cost of its publication and distribution.

25 (d) If the lieutenant governor determines that the journal's
26 purpose of providing an all-inclusive medium for publishing public
27 notice of proposed agency actions for which public notice is required by
28 law is being met by private publication and is likely to continue to be
29 so met, he shall discontinue publication of the Alaska Administrative

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Journal.

(c) A regulation, amendment to a regulation, or order of repeal, except an emergency regulation or order of repeal, adopted under AS 44.62.250, may not take effect unless notice of the proposed action has been published in the Alaska Administrative Journal as prescribed by this section.

* Sec. 2. AS 44.62.200 is amended by adding a new subsection to read:

(c) The summary specified in (a)(3) of this section must be approved by the lieutenant governor as adequate for publication in the Alaska Administrative Journal before notice is given under AS 44.62.190.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.070(c), except that the lieutenant governor shall begin publication of the Alaska Administrative Journal during the week of September 15, 1980.