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Referred: State Affairs and  
Judiciary

1 IN THE SENATE

BY RAY

2

SENATE BILL NO. 48

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the adoption of regulations for  
7 state retirement systems."

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

9 \* Section 1. AS 14.25.022 is amended by adding new subsections to read:

10 (b) Notwithstanding (a) of this section, a regulation adopted  
11 under this chapter shall be published in the Alaska Administrative  
12 Register and Code for informational purposes. Each regulation adopted  
13 under this chapter shall conform to the style and format requirements  
14 of the drafting manual for administrative regulations that is pub-  
15 lished under AS 44.62.050.

16 (c) At least 30 days before the adoption, amendment, or repeal  
17 of a regulation under this chapter, the Alaska Teachers' Retirement  
18 Board shall provide notice of the action that is being considered.  
19 The notice shall be

20 (1) posted in public buildings throughout the state;

21 (2) published in one or more newspapers of general circu-  
22 lation in the state;

23 (3) mailed to each person or group that has filed a request  
24 for notice of proposed action with the Alaska Teachers' Retirement  
25 Board; and

26 (4) furnished to each member of the legislature and to the  
27 Legislative Affairs Agency.

28 (d) Failure to mail notice to a person as required under (c)(3)  
29 of this section does not invalidate an action taken by the Alaska

1 Teachers' Retirement Board.

2 (e) The Alaska Teachers' Retirement Board may hold a hearing on  
3 a proposed regulation.

4 (f) A regulation adopted under this chapter takes effect 30 days  
5 after adoption by the Alaska Teachers' Retirement Board.

6 (g) In this section "regulation" has the same definition set out  
7 in AS 44.62.640(a)(2).

8 \* Sec. 2. AS 22.25.027 is amended by adding new subsections to read:

9 (b) Notwithstanding (a) of this section, a regulation adopted  
10 under this chapter shall be published in the Alaska Administrative  
11 Register and Code for informational purposes. Each regulation adopted  
12 under this chapter shall conform to the style and format requirements  
13 of the drafting manual for administrative regulations that is pub-  
14 lished under AS 44.62.050.

15 (c) At least 30 days before the adoption, amendment, or repeal  
16 of a regulation under this chapter, the commissioner of administration  
17 shall provide notice of the action that is being considered. The  
18 notice shall be

19 (1) posted in public buildings throughout the state;

20 (2) published in one or more newspapers of general circu-  
21 lation in the state;

22 (3) mailed to each person or group that has filed a request  
23 for notice of proposed action with the commissioner of administration;  
24 and

25 (4) furnished to each member of the legislature and to the  
26 Legislative Affairs Agency.

27 (d) Failure to mail notice to a person as required under (c)(3)  
28 of this section does not invalidate an action taken by the commis-  
29 sioner of administration.

1 (e) The commissioner may hold a public hearing on a proposed  
2 regulation.

3 (f) A regulation adopted under this chapter takes effect 30 days  
4 after adoption by the commissioner of administration.

5 (g) In this section "regulation" has the same definition set out  
6 in AS 44.62.640(a)(2).

7 \* Sec. 3. AS 39.35.042 is amended by adding new subsections to read:

8 (b) Notwithstanding (a) of this section, a regulation adopted  
9 under this chapter shall be published in the Alaska Administrative  
10 Register and Code for informational purposes. Each regulation adopted  
11 under this chapter shall conform to the style and format requirements  
12 of the drafting manual for administrative regulations that is pub-  
13 lished under AS 44.62.050.

14 (c) At least 30 days before the adoption, amendment, or repeal  
15 of a regulation under this chapter, the board shall provide notice of  
16 the action that is being considered. The notice shall be

17 (1) posted in public buildings throughout the state;

18 (2) published in one or more newspapers of general circu-  
19 lation in the state;

20 (3) mailed to each person or group that has filed a request  
21 for notice of proposed action with the board; and

22 (4) furnished to each member of the legislature and to the  
23 Legislative Affairs Agency.

24 (d) Failure to mail notice to a person as required under (c)(3)  
25 of this section does not invalidate an action taken by the board.

26 (e) The board may hold a public hearing on a proposed regula-  
27 tion.

28 (f) A regulation adopted under this chapter takes effect 30 days  
29 after adoption by the board.

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2 (g) In this section "regulation" has the same definition set out  
3 in AS 44.62.640(a)(2).

4 \* Sec. 4. REGULATIONS RELATING TO PUBLIC OFFICERS RETIREMENT SYSTEM  
5 (Former AS 39.37). (a) Regulations adopted by the commissioner of admin-  
6 istration under former AS 39.37, Elected Public Officers Retirement System,  
7 relate to the internal management of state agencies and their adoption is  
8 not subject to the Administrative Procedure Act (AS 44.62).

9 (b) Notwithstanding (a) of this section, a regulation adopted under  
10 former AS 39.37 shall be published in the Alaska Administrative Register  
11 and Code for informational purposes. Each regulation adopted under former  
12 AS 39.37 shall conform to the style and format requirements of the drafting  
13 manual for administrative regulations that is published under AS 44.62.050.

14 (c) At least 30 days before the adoption, amendment, or repeal of a  
15 regulation under former AS 39.37, the commissioner of administration shall  
16 provide notice of the action that is being considered. The notice shall be

17 (1) posted in public buildings throughout the state;

18 (2) published in one or more newspapers of general circulation  
19 in the state;

20 (3) mailed to each person or group that has filed a request for  
21 notice of proposed action with the commissioner; and

22 (4) furnished to each member of the legislature and to the  
23 Legislative Affairs Agency.

24 (d) Failure to mail notice to a person as required under (c)(3) of  
25 this section does not invalidate an action taken by the commissioner of  
26 administration.

27 (e) The commissioner of administration may hold a public hearing on a  
28 proposed regulation.

29 (f) A regulation adopted under former AS 39.37 takes effect 30 days

1 after adoption by the commissioner of administration.

2 (g) In this section "regulation" has the same definition set out in  
3 AS 44.62.640(a)(2).

4 \* Sec. 5. A regulation that relates to a state retirement system re-  
5 ferred to in this Act that is in effect on the effective date of this Act  
6 shall be published in the Alaska Administrative Register and Code within  
7 six months after the effective date of this Act.