

CS FOR SENATE BILL NO. 131 (STATE AFFAIRS)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/7/91
 Referred: Finance

Sponsor(s): SENATORS DUNCAN, Adams

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the notice requirements for the adoption, amendment, or repeal of
 2 regulations, for the meetings of public agencies, and for state elections."

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

4 * Section 1. AS 15.15.010 is amended to read:

5 Sec. 15.15.010. GENERAL ADMINISTRATIVE SUPERVISION BY DIRECTOR. The
 6 director shall provide general administrative supervision over the conduct of state elections, and
 7 may adopt regulations under the Administrative Procedure Act (AS 44.62) necessary for the
 8 administration of state elections. The director shall adopt regulations that establish for the
 9 broadcasting of notices under AS 15.15.070 the frequency of the broadcasts, appropriate
 10 broadcast times, and the locations for the broadcasts. The broadcasting regulations must
 11 be reasonably calculated to provide the widest possible exposure of the notices.

12 * Sec. 2. AS 15.15.070(d) is amended to read:

13 (d) The first [FIRST] publication, broadcast, or posting of the notice shall [IS TO] be
 14 made not less than 10 days before the election.

1 * Sec. 3. AS 15.15.070(f) is amended to read:

2 (f) Additional notice shall be given of all bond issues, initiatives, referendums, and
3 propositions by use of newspapers, television, radio, printed posters, maps, and similar means of
4 communication considered necessary. The director may not be required to post, broadcast, or
5 publish notices except those provided for in this section.

6 * Sec. 4. AS 15.15.070 is amended by adding a new subsection to read:

7 (h) An abbreviated form of the notice published under (b) of this section shall be
8 broadcast on one or more radio or television stations in each of the four major election districts.
9 The broadcast notice must include at a minimum the date of the election, the hours between
10 which the polling places will be open, the names of the newspapers in which the notice is
11 published, and the dates of publication in the newspapers.

12 * Sec. 5. AS 44.19.020 is amended to read:

13 Sec. 44.19.020. DUTIES OF THE LIEUTENANT GOVERNOR. The lieutenant
14 governor shall

15 (1) administer state election laws; [,]

16 (2) appoint notaries public;

17 (3) adopt regulations under AS 44.62 (Administrative Procedure Act) that
18 establish for the broadcasting of notices under AS 44.62.190 and 44.62.310(e) the frequency
19 of the broadcasts, appropriate broadcast times, and the locations for the broadcasts; the
20 regulations must be reasonably calculated to provide the widest possible exposure of the
21 notices.

22 * Sec. 6. AS 44.62.190(a) is amended to read:

23 (a) At least 30 days before the adoption, amendment, or repeal of a regulation, notice of
24 the proposed action shall be

25 (1) published in the newspaper of general circulation [,] or trade or industry
26 publication [,] that the state agency prescribes and in the Alaska Administrative Journal; in the
27 discretion of the state agency giving the notice, the requirement of publication in a newspaper
28 or trade or industry publication may be satisfied [SUPPLEMENTED] by broadcasting the notice
29 or an abbreviated form of the notice by television or radio, or by using a combination of
30 publication and broadcasting;

31 (2) mailed to every person who has filed a request for notice of proposed action

1 with the state agency;

2 (3) if the agency is within a department, mailed or delivered to the commissioner
3 of the department;

4 (4) when appropriate in the judgment of the agency,

5 (A) mailed to a person or group of persons whom the agency believes is
6 interested in the proposed action, and

7 (B) published in the additional form and manner the state agency
8 prescribes;

9 (5) furnished the Department of Law together with a copy of the proposed
10 regulation, amendment, or order of repeal for the department's use in preparing the opinion
11 required after adoption and before filing by AS 44.62.060;

12 (6) furnished to all incumbent State of Alaska legislators and the Legislative
13 Affairs Agency;

14 (7) furnished to the standing committee of each house of the legislature having
15 legislative jurisdiction over the subject matter treated by the regulation under the Uniform Rules
16 of the Alaska State Legislature, together with a copy of the proposed regulation, amendment, or
17 order of repeal for the committee's use in conducting the review authorized by AS 24.05.182;

18 (8) furnished to the staff of the Administrative Regulation Review Committee.

19 * Sec. 7. AS 44.62.310(e) is amended to read:

20 (e) Reasonable public notice shall be given for all meetings required to be open under
21 this section. The notice must include the date, time, and place of the meeting [,] and, if the
22 meeting is by teleconference, the location of any teleconferencing facilities that will be used.
23 Except for the publication required by AS 44.62.175(a) in the Alaska Administrative Journal, the
24 notice may be given, in the discretion of the public agency giving the notice, by using print
25 media, [SUPPLEMENTED BY] broadcast media, or a combination of print and broadcast
26 media.