

CHAPTER 149

AN ACT

Amending the Administrative Procedure Act of 1959, Ch. 143, SLA 1959; and providing for an effective date.

(C.S.H.B. 297)

Be it enacted by the Legislature of the State of Alaska:

Section 1. Sec. 3, Art. II, Ch. 1, Ch. 143, SLA 1959, is amended to read:

Sec. 3. **Filing.** Agencies shall (1) before adoption and at the time notice of proposed action is given, and (2) after adoption if the adopted regulation, amendment, or order of repeal deviates from the proposed action submit regulations, amendments, or orders of repeal to the Department of Law before transmitting them to the secretary of state for filing. Within 10 days after receipt of the regulation, amendment, or order of repeal, the Department of Law shall write an opinion to the agency advising it on the validity of the regulation, amendment, or order of repeal adopted, on the correctness of the citation of statutory authority required by Sec. 1(4) of this Article, and on the clarity of the regulation, amendment, or order of repeal adopted. In the opinion, the Department of Law shall recommend changes, if changes are needed, to make the regulation, amendment, or order of repeal valid or to increase its usefulness. The agency shall transmit to the secretary of state a copy of the opinion at the same time it submits a copy of the affected regulation, amendment, or order of repeal to him for filing. The secretary of state shall not file a regulation, amendment, or order of repeal until he receives the relevant opinion and the copies of regulations, amendments, or

orders of repeal required by Sec. 1 of this Article. The secretary of state shall examine each regulation, amendment, or order of repeal transmitted to him for filing and determine whether or not it complies with the form and style he has prescribed. This section shall not pertain to emergency regulations.

Sec. 2. Sec. 5, Art. IV, Ch. 1, Ch. 143, SLA 1959, is amended by adding a new paragraph (5) to read:

(5) Furnished the Department of Law together with a copy of the proposed regulation, amendment, or order of repeal for the department's use in preparing the opinion required after adoption and before filing by Sec. 3, Art. II, of this Chapter.

Sec. 3. Sec. 1, Art. VII, Ch. 1, Ch. 143, SLA 1959, is amended to read:

Section 1. The Legislature, by a concurrent resolution adopted by a vote of both houses, shall have the power to annul any agency or department rule or regulation. The Legislative Council shall annually review all agency regulations to determine if the legislative intent is being correctly followed. A comprehensive report of said annual review with recommendations shall be submitted to the members of the legislature at the start of its regular session each January.

Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 18, 1962

CHAPTER 150

AN ACT

Relating to the Public Employees' Retirement System of Alaska; amending Subsec. a, Sec. 37, Ch. 143, SLA 1960, as amended by Sec. 1, Ch. 129, SLA 1961.

(C.S.H.B. 337)

Be it enacted by the Legislature of the State of Alaska:

Section 1. Subsec. a, Sec. 37, Ch. 143, SLA 1960, as amended by Sec. 1, Ch. 129, SLA 1961, is amended to read:

a. Whenever, in the opinion of the commissioner of administration, there is on hand in the pension fund a surplus over and above a reasonably safe amount to take care of current demands upon such fund, such surplus or so much thereof as in the judgment of the commissioner of administration is deemed proper may be invested by the commissioner of revenue in (1) bonds or other interest bearing obligations and securities of the United States or any state thereof or of any political subdivision of any state of the United States, provided such political subdivision has a population as shown by the last federal

census preceding such investment of not less than 30,000 inhabitants; except with respect to political subdivisions located in the State of Alaska, no population limitation shall apply; (2) first lien real estate mortgage securities insured by the Federal Housing Administration under the National Housing Act of the United States or held by the division of veterans' affairs under Section 44-2-13, ACLA 1949, as amended from time to time; and (3) in such corporation bonds and preferred and common stocks as the commissioner of revenue may deem to be proper investments for said fund. No more than 15 percent of said surplus may be invested in said mortgage securities of the division of veterans' affairs, and the state shall appropriate sufficient monies from the general fund to make good any losses as a result of failure of the obligees to pay on the notes.

Approved April 18, 1962

CHAPTER 151

AN ACT

Creating a committee to study and plan for an Alaska Centennial celebration; and providing for an effective date.

(H.B. 353)

Be it enacted by the Legislature of the State of Alaska:

Section 1. **Statement of Purpose.** The year 1967 will mark the centennial anniversary of Alaska's purchase by the United States and it is altogether fitting that that year be established as a year of celebration. In recognition of the fact that a celebration commensurate with Alaska's magnificent heritage will require years of research, planning, and preparation, the following committee is established.

Sec. 2. **Centennial Committee.** There is hereby created in the Office of the Governor an Alaska Centennial advisory committee. The function of the committee will

be that of making a study of similar celebrations in other areas of the United States with the purpose of suggesting means by which the Alaska Centennial should be financed and planned. The committee shall be composed of 16 persons appointed by the governor for a term of one year. The committee shall make a report of its findings to the governor prior to the convening of the 1963 legislature. Members may be compensated for their services by payment of actual expenses incurred.

Sec. 3. **Effective Date.** This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 18, 1962

CHAPTER 152

AN ACT

Providing for exclusion from gross receipts under the Alaska business license tax of