



LAWS OF ALASKA

1985

Source

CSSB 157(SA)

Chapter No.

59

AN ACT

Continuing the existence of the Alaska Administrative Journal;
and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO
THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES
DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL
REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY
LINE OF EACH BILL SECTION.

Approved by the Governor: May 30, 1985
Actual Effective Date: July 1, 1985

AN ACT

Continuing the existence of the Alaska Administrative Journal; and providing for an effective date.

* Section 1. FINDINGS. The legislature recognizes that public knowledge of and participation in the administrative regulatory process, and easy access to information concerning executive actions, are essential to the democratic process of state government. The legislature recognizes that publication and distribution of the Alaska Administrative Journal facilitates the widespread dissemination of information about the regulatory process and activities by state agencies. In order that the public may continue to be provided with this information in a timely and useful manner and with a means to participate more fully in the regulatory process, the legislature makes permanent the publication and distribution of the Alaska Administrative Journal.

* Sec. 2. AS 44.62 is amended by adding a new section to read:

Sec. 44.62.175. ALASKA ADMINISTRATIVE JOURNAL. (a) The lieutenant governor shall publish or contract for the publication of the Alaska Administrative Journal. The journal shall be published weekly. The journal must include

- (1) notices of proposed actions given under AS 44.62.-190(a);
- (2) notices of state agency meetings required under AS 44.-62.310(e), even if the meeting has been held;

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1 (3) notices of solicitations to bid issued under AS 37.05.-
2 230;

3 (4) notices of state agency requests for proposals issued
4 under AS 18.55.255, 18.55.320; AS 19.10.190; AS 19.40.020; AS 35.15.-
5 030; AS 36.98.030; AS 37.05.230, 37.05.315(d); AS 38.05.120; AS 43.-
6 40.010; and AS 46.11.030;

7 (5) executive orders and administrative orders issued by
8 the governor;

9 (6) written delegations of authority made by the governor
10 or the head of a principal department under AS 44.17.010;

11 (7) the text or a summary of the text of a regulation or
12 order of repeal of a regulation for which notice is given under
13 AS 44.62.190(a), including an emergency regulation or repeal whether
14 or not it has taken effect;

15 (8) a summary of the text of recently issued formal op-
16 inions and memoranda of advice of the attorney general; and

17 (9) a list of vacancies on boards, commissions, and other
18 bodies whose members are appointed by the governor.

19 (b) The issuer of a notice, order, delegation, text, summary, or
20 list in (a) of this section shall send a copy to the lieutenant gover-
21 nor in a computer-readable magnetic medium in a format prescribed by
22 the lieutenant governor.

23 (c) The lieutenant governor shall provide to the Legislative
24 Affairs Agency the text of each issue of the journal in a computer-
25 readable magnetic medium compatible with the legislative data process-
26 ing system. The Legislative Affairs Agency shall retain the text of
27 each issue of the journal in a computer-readable magnetic medium.

28 (d) The lieutenant governor shall sell subscriptions to the
29 journal at a price reasonably calculated to offset the cost of

1 publication and distribution.

2 (e) A person may not maintain an action based on publication or
3 lack of publication in the journal.

4 (f) In this section

5 (1) "journal" means the Alaska Administrative Journal; and

6 (2) "publish" means to make available to the public

7 (A) through the legislative data processing system;

8 and

9 (B) in printed form.

0 * Sec. 3. AS 44.62.190(a) is amended to read:

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

3 (1) published in the newspaper of general circulation, or
4 trade or industry publication, that [WHICH] the state agency pre-
5 scribes and in the Alaska Administrative Journal;

6 (2) mailed to every person who has filed a request for
7 notice of proposed action with the state agency;

8 (3) if the agency is within a department, mailed or de-
9 livered to the commissioner of the department;

0 (4) when appropriate in the judgment of the agency, (A)
1 mailed to a person or group of persons whom the agency believes is
2 interested in the proposed action, and (B) published in the additional
3 form and manner the state agency prescribes;

4 (5) furnished the Department of Law together with a copy of
5 the proposed regulation, amendment, or order of repeal for the depart-
6 ment's use in preparing the opinion required after adoption and before
7 filing by AS 44.62.060;

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

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1 (7) furnished to the standing committee of each house of
2 the legislature having legislative jurisdiction over the subject
3 matter treated by the regulation under the Uniform Rules of the Alaska
4 State Legislature, together with a copy of the proposed regulation,
5 amendment, or order of repeal for the committee's use in conducting
6 the review authorized by AS 24.37.010;

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

9 * Sec. 4. AS 44.62.200 is amended by adding a new subsection to read:

10 (c) An agency that issues a notice under this section shall
11 assure that the notice is prepared in a form adequate for publication
12 in the Alaska Administrative Journal.

13 * Sec. 5. This Act takes effect July 1, 1985.
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