



# LAWS OF ALASKA

1991

**Source**

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**Chapter No.**

74

**AN ACT**

Relating to the notice requirements for the adoption, amendment, or repeal of regulations, for the meetings of public agencies, and for state elections.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 24, 1991  
Actual Effective Date: September 22, 1991

AN ACT

1 Relating to the notice requirements for the adoption, amendment, or repeal of  
2 regulations, for the meetings of public agencies, and for state elections.  
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6 \* Section 1. AS 15.15.010 is amended to read:

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

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

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

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

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

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

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

7 \* Sec. 5. AS 44.19.020 is amended to read:

8 Sec. 44.19.020. DUTIES OF THE LIEUTENANT GOVERNOR. The lieutenant  
9 governor shall

10 (1) administer state election laws; [.]

11 (2) appoint notaries public;

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

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

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

20 (1) published in the newspaper of general circulation [.] or trade or industry  
21 publication [.] that the state agency prescribes and in the Alaska Administrative Journal; in the  
22 discretion of the state agency giving the notice, the requirement of publication in a newspaper  
23 or trade or industry publication may be satisfied [SUPPLEMENTED] by using a combination  
24 of publication and broadcasting; when broadcasting the notice, an agency may use [OR] an  
25 abbreviated form of the notice if the broadcast provides the name and date of the newspaper  
26 or trade or industry journal where the full text of the notice can be found [BY  
27 TELEVISION OR RADIO];

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

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

1 of the department;

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

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

5 (B) published in the additional form and manner the state agency  
6 prescribes;

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

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

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

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

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

18 (e) Reasonable public notice shall be given for all meetings required to be open under  
19 this section. The notice must include the date, time, and place of the meeting [,] and<sub>1</sub> if the  
20 meeting is by teleconference, the location of any teleconferencing facilities that will be used. In  
21 addition to [EXCEPT FOR] the publication required by AS 44.62.175(a) in the Alaska  
22 Administrative Journal, the notice may be given by using a combination of print and broadcast  
23 media [SUPPLEMENTED BY BROADCAST MEDIA].