Research Tip – Alaska Administrative Code

The Alaska Administrative Code (AAC) contains rules and regulations promulgated by state agencies. These agencies are part of the executive branch and derive their regulatory powers from enabling legislation enacted by the state legislature. While regulations are not the same as statutes, which are passed directly by the legislature, they still have the force of law. The legislature sets out policies and guidelines which are then fleshed out into specific rules by the agency.

When creating rules and regulations, the agencies must follow the Administrative Procedure Act (AS 44.62) which, in general, requires agencies to publish proposed rules and allow time for public comments. After the comments are meaningfully considered and addressed, the final rule is issued. The final rule is then sent to the Lieutenant Governor for filing and publishing in the AAC, usually taking effect 30 days after signing.

1. Current Rules

a. Online

The Alaska Administrative Code is available online through the Alaska State Legislature’s website at [http://www.legis.state.ak.us/basis/aac.asp](http://www.legis.state.ak.us/basis/aac.asp). As you scroll through the site, the enabling statutes, regulatory history, and cross references will be listed on the right side of the screen. You can view the Index by clicking “Index (TOC)” from the menu on the left.

The AAC is also available online through [Westlaw](https://www.westlaw.com). From the home page, select Regulations, then Alaska.
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Or start typing “Alaska Regulations” in the search bar and follow the links from there.

The index to the AAC is not available from Westlaw, so to search the regulations, navigate to the Alaska Regulations homepage and use the search box at the top of the page.
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From an individual regulation, you can view the regulatory history and statutory authority at the bottom of the page. History and citing references are also available, depending on the regulation.

b. In Print

The print version of the AAC is available in 11 large, black looseleaf binders. It is available in all law library locations and most court campuses. The index for the print version is located in volume 1.

2. Proposed Rules

Proposed and recently adopted regulations are published on the Lieutenant Governor’s website. Each proposed regulation notice includes text of the proposal along with other relevant information such as how to submit comments for consideration. Notices for newly adopted regulations include the text of the new regulation and its effective date.

3. Superseded Rules

To find the history of a regulation, look at the source note at the end of the regulation which tells you when the section was enacted and amended. The source note includes the effective date and Register number. By looking through the Registers, you can find when the language or subsection in question was included in the regulation.
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(15 AAC 40.400)

15 AAC 40.400. Tax return filing requirements.

Currentness

(a) Each person subject to AS 43.40.010(c) shall file the tax return, under penalty of unsworn falsification, on a form or in a format prescribed by the department. Each person shall file a separate tax return for gasoline, diesel, aviation fuel, and gasohol.

(b) Each person filing a tax return under (a) of this section may deduct and retain one percent of the total monthly tax due per tax return, up to $100, if the tax return is complete and timely filed, and the tax is timely paid. The department will not consider the tax return complete unless the tax return includes information on the sales, transfers, or purchases of all fuel held as inventory in this state, regardless of whether the fuel is classified as motor fuel under AS 43.40.100.

Credits

(Eff. 4/1/2001, Register 157)

AUTHORITY: AS 43.05.080, AS 43.40.010

Current with amendments received through the Quarterly Supplement, April 2020 (Register 233).

Alaska Admin. Code tit. 15, § 40.400, 15 AK ADC 40.400

a. Online

Superseded regulations are available on Westlaw back to 2002. From the Alaska Regulations page, click on “Alaska Historical Regulations” from the menu on the right of the page.

Or start typing “Alaska Regulations” in the search bar and follow the links from there.
Choose a year from the list before searching for an individual regulation. Typing a regulation citation into the search bar before selecting a year will default back to the current code rather than the historical code.

Look for “Alaska Administrative Code – (year)” at the top of the page to make sure you are viewing the historical version instead of the current version.

**Alaska Administrative Code - 2005**

5 AAC 12.206  
Alaska Admin. Code tit. 5, § 12.206  
ALASKA ADMINISTRATIVE CODE  
TITLE 5. FISH AND GAME  
PART 1. COMMERCIAL AND SUBSISTENCE FISHING AND PRIVATE NONPROFIT SALMON HATCHERIES  
CHAPTER 12. ALEUTIAN ISLANDS AREA  
ARTICLE 2. FISHING DISTRICTS AND SECTIONS  
Current through Register 176 (January 2006)

5 AAC 12 206 Use of global positioning system (GPS).  
In the Aleutian Islands Area, boundaries, lines, and coordinates are identified with the global positioning system (GPS). If the global positioning system is not operating, the boundaries, lines, and coordinates are as identified by ADF&G regulatory markers.

(Eff 6/4/2004, Register 170)  
AUTHORITY: AS 16.05.251

**b. Print**

Superseded regulations prior to 2004 are only available in print. We have full sets of superseded regulations at the Anchorage, Fairbanks, and Juneau Law Libraries. Visit the law library in your location or contact us at library@akcourts.us or (907) 264-0856 for assistance finding older regulations.

**4. Law Library**

For more information or for reference or research assistance, contact library staff at library@akcourts.us or (907) 264-0856.