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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Dana Benfield & Amanda Sizemore - Department of Revenue

FROM: April Simpson - Office of the Lieutenant Governor 
465.4081

DATE: August 16, 2022

RE: Filed Permanent Regulations: Division of Child Support Services

Department of Revenue regulations re: Child Support Services Division (15 AAC 125.118(a); 15 AAC 125.327; 15 AAC 125.335(e); 15 AAC 125.480(e))

Attorney General File:	2021200334
Regulation Filed:	8/16/2022
Effective Date:	9/15/2022
Print:	243, October 2022

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS
OF DEPARTMENT OF REVENUE, CHILD SUPPORT SERVICES DIVISION

The attached three pages of regulations, dealing with how to send requests for administrative review, requests for review of support orders, and extended visitation credit, are adopted and certified to be a correct copy of the regulation changes that the Child Support Services Division adopts under the authority of AS 25.27.020, AS 25.27.045, AS 25.27.160, AS 25.27.170, AS 25.27.190, AS 25.27.193, AS 25.27.200 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Child Support Services Division paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: August 4, 2022

Carol Beecher Digitally signed by Carol Beecher
Date: 2022.08.04 12:39:54 -08'00'

Carol Beecher, Director
Child Support Services Division

Arac Simpson for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

August 16, 2022, at 3:57 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Arac Simpson

for

Lieutenant Governor

Kevin Meyer

Effective: September 15, 2022.

Register: 243, October 2022.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



Kevin Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

15 AAC 125.118(a) is amended to read:

(a) A person served with a notice and finding of financial responsibility or with a copy of a notice and finding of financial responsibility setting a support obligation may request an administrative review of the notice and finding. The person making the request shall make it in writing, and shall send the request to the agency by **first class** [CERTIFIED] mail **or electronic means** [, RETURN RECEIPT REQUESTED]. The request must be postmarked or received by the agency within 30 days after service of the notice and finding of financial responsibility. The request must state the specific reasons for the request for administrative review and be accompanied by the documentation upon which the person requesting the administrative review intends to rely. If a request for administrative review does not fully comply with the requirements of this subsection, the agency may return the request unprocessed or accept a request for administrative review that substantially complies with the requirements of this subsection.

(Eff. 10/1/98, Register 147; am 2/16/2013, Register 205; am 9 / 15 / 2022, Register 243)

Authority: AS 25.27.020 AS 25.27.160 AS 25.27.170

15 AAC 125.327(d) is amended to read:

(d) If the support order was issued by or registered in a court of this state, the agency will **provide the parents with the address of the court with authority to modify the court order within 15 days** [PROCEED WITH THE REVIEW UNDER THIS SECTION].

Register 243, October 2022

REVENUE

15 AAC 125.327(e) is repealed:

(e) Repealed 9 / 15 / 2022.

15 AAC 125.327(f) is repealed:

(f) Repealed 9 / 15 / 2022.

(Eff. 3/20/2016, Register 217; am 9 / 15 / 2022, Register 243)

Authority: AS 25.27.020 AS 25.27.190 AS 25.27.193

AS 25.27.045

15 AAC 125.335(e) is amended to read:

(e) If the agency does not forward the file to the Department of Law as provided in (d) of this section, the agency will proceed under **15 AAC 125.327(d)** [15 AAC 125.327(d) - (f)]. (Eff. 10/1/98, Register 147; am 4/1/2005, Register 173; am 2/16/2013, Register 205; am 3/20/2016, Register 217; am 9 / 15 / 2022, Register 243)

Authority: AS 25.27.020 AS 25.27.190 AS 25.27.193

AS 25.27.045

15 AAC 125.480(e) is amended to read:

(e) In calculating the amount of the extended visitation credit, the agency will apply the percentage or dollar amount specified in the support order for the extended visitation credit. [IF A PERCENTAGE OR DOLLAR AMOUNT IS NOT SPECIFIED IN THE SUPPORT ORDER, THE AGENCY WILL APPLY A CREDIT OF 50 PERCENT OF THE MONTHLY SUPPORT

Register 243, October 2022

REVENUE

OBLIGATION.]

(Eff. 6/15/2001, Register 158; am 9 / 15 / 2022, Register 243)

Authority: AS 25.27.020

AS 25.27.200

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: August 5, 2022

File No.: 2021200334

Tel. No.: (907) 465-3600

From: Rebecca C. Polizzotto
Chief Assistant Attorney General
and Regulations Attorney
Legislation, Regulations, and
Legislative Research Section

Rebecca C. Polizzotto
Digitally signed by
Rebecca C. Polizzotto
Date: 2022.08.05
13:14:55 -08'00'

Re: Child Support Services Division
regulations re: 15 AAC 125.118(a);
15 AAC 125.327; 15 AAC
125.335(e); 15 AAC 125.480(e))

The Department of Law has reviewed the attached regulations of the Department of Revenue, Child Support Services Division against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulations were adopted by the Child Support Services Division after the close of the public comment period. They address requests for administrative review, requests for review of child support orders, and extended visitation credit, so that division clients may use modern technology to get information sooner. Another change removes the credit that the agency applies if no percentage or dollar amount is specified in the child support order, to reflect that Alaska. Rule of Civil Procedure 90.3(a)(3) requires the support order to specify the amount of a visitation credit.

The February 20, 2022 public notice and the August 4, 2022 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

RCP:scw

CC: Dana Benfield
Amanda Sizemore