

determination of such judicial proceeding, the Board of Appeals shall enter an order in accordance with such determination. The Board of Appeals may be a party to any judicial action involving any such decision, and may be represented in any such judicial action by the Attorney General or by any qualified attorney who is a regular salaried employee of the Board of Appeals, and has been designated by it for that purpose, upon the recommendation of the Attorney General.

12.

(a) It shall be the duty of the Executive Director to administer this article; and he shall have power and authority to adopt, amend, or rescind such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. [Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this article, which the Executive Director shall prescribe.] The Executive Director shall determine his own organization methods of procedure in accordance with the provisions of this article, and shall have an official seal which shall be judicially noticed. Not later than the 1st day of January of each year, the Executive Director shall submit to the Secretary of [Employment and Social Services] HUMAN RESOURCES and to the Governor a report covering the administration and operation of this article during the preceding fiscal year ending June 30th and shall make such recommendations for amendments to this article as the Executive Director deems proper. Such report shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the Executive Director in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. Whenever the Executive Director believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, he shall promptly so inform the Secretary of [Employment and Social Services] HUMAN RESOURCES, who shall inform the Governor and the legislature, and make recommendations with respect thereto.

(b) [General and special rules may be adopted, amended, or rescinded by the Executive Director only after public hearing or an opportunity to be heard thereon, of which proper notice has been given. General rules shall become effective ten days after filing with the Secretary of State and publication in one or more newspapers of general circulation in this State. Special rules shall become effective ten days after notice, which notice shall be by mailing to the last known address of the individuals or concerns affected thereby. Regulations may be adopted,