AN ACT

Relating to termination and oversight of boards, commissions, and agency programs; extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date.

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

THE ACT Follows on page 1
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Relating to termination and oversight of boards, commissions, and agency programs; extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date.

* Section 1. AS 08.03.010(c)(11) is amended to read:

(11) Board of Marital and Family Therapy (AS 08.63.010) - June 30, 2010 [2005];

* Sec. 2. AS 08.03.020(a) is amended to read:

(a) Upon termination, each board listed in AS 08.03.010 shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. During this period, termination does not reduce or otherwise limit the powers or authority of each board. One year after the date of termination, a board not continued shall cease all activities, and the statutory authority of the board is transferred to the department.
* Sec. 3. AS 08.03.020(c) is amended to read:

   (c) A board scheduled for termination under this chapter may be continued or reestablished by the legislature for a period not to exceed eight [FOUR] years unless the board is continued or reestablished for a longer period under AS 08.03.010.

* Sec. 4. AS 08.03.020 is amended by adding a new subsection to read:

   (d) The department shall carry out the functions of a board that has ceased all activities under (a) of this section. Litigation, hearings, investigations, and other proceedings pending at the time the board ceased activities continue in effect and may be continued or completed by the department. Licenses, certificates, orders, and regulations issued or adopted by the board and in effect at the time the board ceased activities remain in effect for the term issued or until revoked, amended, vacated, or repealed by the department.

* Sec. 5. AS 44.66.010(c) is amended to read:

   (c) A commission scheduled for termination under this chapter may be continued or reestablished by the legislature for a period not to exceed eight [FOUR] years.

* Sec. 6. AS 44.66.050(c) is amended to read:

   (c) A determination as to whether a board or commission or agency program has demonstrated a public need for its continued existence must take into consideration the following factors:

   (1) the extent to which the board, commission, or program has operated in the public interest;

   (2) the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices that it has adopted, and any other matter, including budgetary, resource, and personnel matters;

   (3) the extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest;

   (4) the extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of
service that it has provided;

(5) the extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions;

(6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims' rights or the office of the ombudsman have been processed and resolved;

(7) the extent to which a board or commission that regulates entry into an occupation or profession has presented qualified applicants to serve the public;

(8) the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest; [AND]

(9) the extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection;

(10) the extent to which the board, commission, or agency has effectively attained its objectives and purposes and the efficiency with which the board, commission, or agency has operated; and

(11) the extent to which the board, commission, or agency duplicates the activities of another governmental agency or the private sector.

* Sec. 7. This Act takes effect immediately under AS 01.10.070(c).