

CS FOR HOUSE BILL NO. 216(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 2/24/12

Referred: Rules

Sponsor(s): REPRESENTATIVES PEGGY WILSON, Lynn, Costello, Kawasaki, Kerttula, Johnson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fiscal notes for bills directing or resulting in the adoption,
2 amendment, or repeal of regulations, and to the notice required for the proposed
3 adoption, amendment, or repeal of a regulation; and providing for an effective date."

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

5 * **Section 1.** AS 24.08.035 is amended by adding new subsections to read:

6 (f) In addition to the other requirements of this section, if a bill directs an
7 agency in the executive branch of state government to adopt, amend, or repeal a
8 regulation or will result in an agency's adopting, amending, or repealing a regulation,
9 the department affected shall include in the fiscal note for the bill a specific time by
10 which the agency shall adopt, amend, or repeal the regulation. If the agency is not able
11 to meet the deadline set in the fiscal note, the agency shall

12 (1) set a new deadline; and

13 (2) report to the Administrative Regulation Review Committee the
14 new deadline and the reasons for being unable to meet the deadline set in the fiscal

1 note.

2 (g) In (f) of this section, "agency" includes the Alaska Housing Finance
 3 Corporation, the Alaska Industrial Development and Export Authority, the Alaska
 4 Energy Authority, the Alaska Public Offices Commission, and the Alaska Oil and Gas
 5 Conservation Commission, but does not include other boards or commissions.

6 * **Sec. 2.** AS 44.62.200 is amended by adding a new subsection to read:

7 (d) When a state agency, other than the Regulatory Commission of Alaska, the
 8 Board of Fisheries, or the Board of Game, posts, furnishes, or otherwise provides a
 9 notice of the proposed adoption, amendment, or repeal of a regulation under
 10 AS 44.62.190, a brief description of the changes made by the proposed adoption,
 11 amendment, or repeal must accompany the notice. However, if, under
 12 AS 44.62.190(a), the notice is published in a newspaper or trade or industry
 13 publication or is broadcast, this subsection does not require that the brief description
 14 otherwise required by this subsection accompany the publication or the broadcast. The
 15 brief description shall be written in clear, easily readable language that a person
 16 without a legal background is able to understand. Notwithstanding AS 44.62.300, an
 17 action may not be brought for failure of the brief description to comply with the
 18 requirements of this subsection relating to the description of the changes or its clarity
 19 and readability.

20 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 21 read:

22 **APPLICABILITY.** (a) AS 24.08.035(f) and (g), enacted by sec. 1 of this Act, apply to
 23 bills that are filed on or after the effective date of this Act.

24 (b) AS 44.62.200(d), enacted by sec. 2 of this Act, applies to the proposed adoption,
 25 amendment, or repeal of a regulation on or after the effective date of this Act.

26 * **Sec. 4.** This Act takes effect July 1, 2012.