

Alaska State Legislature

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House Ways and Means

House Bill 278 ADMIN. REGULATION REVIEW DIVISION

Sectional Analysis

Section 1

Adds language to conform to new Administrative Procedures language added by this bill to the Administrative Procedures Act (APA) adjudication section of law.

Section 2

Removes the exemption for the Alaska Housing Finance Corporation from the APA.

Section 3

Amends the Legislature statute to require the legislature to review every proposed regulatory action before the date the regulation is scheduled to be adopted, amended, or repealed.

Section 4

Adds a language to the Legislature statute to require standing committees to review proposed regulatory actions and transmit its findings to a new division under the Legislative Budget and Audit Committee (LB&A) established by this bill.

Section 5

Amends Fiscal Note statute to include LB&A in agencies deadline reporting requirements.

Section 6

Adds new language to the Legislature statute allow the Legislative Affairs Agency to review proposed regulations and to assign an attorney for such review.

Section 7

Adds new sections to the Legislature statute to create a permanent staff agency responsible to the LB&A Committee for the purpose of providing legislative review of administrative regulations filed by the Lieutenant Governor, named the Administrative Regulation Review Division.

Allows the LB&A Committee to hire staff and requires the Legislative Affairs Agency to provide legal assistance to the new Division.

Gives the following powers to the Division:

- (1) Require state officials to give full cooperation to the Division,
- (2) Examine all regulations to determine whether they would properly implement legislative intent,
- (3) Prepare and distribute reports and materials,
- (4) Investigate findings submitted by a standing committee, and
- (5) If necessary, recommend that LB&A introduce legislation to annul adoption of regulations.

Section 8

Removes the exemption for the Alaska Aerospace Corporation from the APA.

Section 9

Removes the exemption for the Adak Reuse Authority from the APA.

Section 10

Removes the exemption for the Alaska Gasline Development Corporation from the APA.

Section 11

Removes the exemption for the Alaska Permanent Fund Corporation from the APA.

Section 12

Conforming language for DNR state lands statute APA requirements.

Section 13

Adds to Public Records statute exemptions legal communications between the Executive and Legislature regarding regulatory review.

Section 14

Conforming language.

Section 15

Conforming language.

Section 16

Adds to the Governor's requirements under the APA to add issues raised by Administrative Regulatory Review Division to reasons the Governor may return a proposed regulation to an adopting agency.

Section 17

Adds to public notice requirements under the APA that copies of proposed regulations be furnished to the LLA when distributed to the public.

Section 18-20

Conforming language.

Section 21

Adds a new section to APA statute to require the Lieutenant Governor to submit filed regulations to the Administrative Regulatory Review Division along with their fiscal notes, requires agencies to submit proposed regulations to the Review Division when submitted to the Governor, and gives the Review Division 10 days to submit comments to the Governor.

Section 22-26

Conforming language.

Section 27

Removes the exemption for the Alaska Energy Authority from the APA.

Section 28

Adds to uncodified law that this Act applies to adoption, amendment, or repeal of a regulation that is first proposed on or after the effective date of this Act.