

Alaska State Legislature

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House Ways and Means

House Bill 278– ADMIN. REGULATION REVIEW DIVISION

Sponsor Statement

According to the Bureau of Economic Analysis, Alaska's economic growth is the worst in the nation. It is imperative that we grow the private economy. One way to do this is by decreasing the high regulatory burden Alaskan's have when doing business.

In current law, AS 44.62 (Administrative Procedures Act) allows for the Governor or Lieutenant Governor's review of regulations, requires the Department of Law to advise agencies on regulations, and requires public notice and public comment. There is no specific requirement for Legislative review of proposed regulations, nor any action that the Legislature can take on them. Also included in As. 44.62, government corporations are exempt from the Administrative Procedures Act.

HB 278 would establish an Administrative Regulation Review Division, a vital mechanism to ensure transparency, accountability, and efficiency in the regulatory process within the State of Alaska. It also Removes the Government corporations' exemptions from regulatory review from law.

The Administrative Regulation Review Division will serve as a permanent staff agency under the oversight of the Legislative Budget and Audit Committee. Its primary function is to facilitate thorough legislative review of administrative regulations filed by the Lieutenant Governor. This will be achieved through comprehensive assessment of proposed regulations, ensuring alignment with legislative intent, statutory authority, and consistency with applicable laws.

The administrative regulation review division will be tasked with several key responsibilities:

1. Reviewing all administrative regulations to ensure they properly implement legislative intent.
2. Providing comments and recommendations to the governor and state agencies on proposed regulations.
3. Investigating findings transmitted by standing committees regarding regulations inconsistent with legislative intent.
4. Promoting needed amendments or repeals of regulations deemed inappropriate or outdated.
5. Recommending legislative action to annul regulations found to be inconsistent with legislative intent.

Furthermore, the Division will have the authority to examine all administrative regulations, including proposed adoptions, amendments, or orders of repeal. It will provide expert commentary and recommendations to the governor and state agencies, promoting necessary amendments or repeals when regulations deviate from legislative intent or fail to meet statutory standards.

HB 278 aims to simplify regulatory compliance process, ensure regulatory compliance with legislative intent, and provide a mechanism for continuous improvement in our regulatory framework. This will in turn create a better business environment for our State.