

SENATE BILL NO. 139

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Introduced: 3/9/05

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to termination and oversight of boards, commissions, and agency**
2 **programs; extending the termination date of the Board of Marital and Family Therapy;**
3 **and providing for an effective date."**

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

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

6 (11) Board of Marital and Family Therapy (AS 08.63.010) - June 30,
7 **2010** [2005];

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

9 (a) Upon termination, each board listed in AS 08.03.010 shall continue in
10 existence until June 30 of the next succeeding year for the purpose of concluding its
11 affairs. During this period, termination does not reduce or otherwise limit the powers
12 or authority of each board. One year after the date of termination, a board not
13 continued shall cease all activities **and the regulations in effect at that time, along**
14 **with disciplinary powers of the board, shall be transferred without further action**

1 **to the authority of the department.**

2 * **Sec. 3.** AS 08.03.020(c) is amended to read:

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

6 * **Sec. 4.** AS 44.66.010(c) is amended to read:

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

10 * **Sec. 5.** AS 44.66.050(c) is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

14 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).