

HOUSE CS FOR CS FOR SENATE BILL NO. 139(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 5/4/05

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

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 statutory authority of the board is**
14 **transferred to the department.**

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

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

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

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12 repealed by the department.

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

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

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

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

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

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

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

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

1 service that it has provided;

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

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

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

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

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

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

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

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