

CS FOR HOUSE BILL NO. 351(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/18/16

Referred: Finance

Sponsor(s): REPRESENTATIVES PRUITT, Lynn, Vazquez, Tilton, Millett, Gattis, Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to adoption of regulations; and providing for an effective date."**

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

3 * **Section 1.** AS 44.62.020 is amended by adding new subsections to read:

4 (b) A state agency may not adopt, and the lieutenant governor may not accept,
5 a new regulation unless

6 (1) the new regulation is part of a set of the initial regulations adopted
7 by a board or commission after the creation of that board or commission by law;

8 (2) the agency repeals one or more existing regulations and the cost of
9 the new regulation is less than or equal to the cost of the repealed regulation or
10 regulations, as determined by the commissioner of the department or the board or
11 commission adopting the regulation;

12 (3) the regulation is adopted as an emergency regulation;

13 (4) the regulation implements a state or federal law enacted, amended,
14 or repealed within 120 days of the adoption of the regulation, unless that time is
15 extended by the lieutenant governor under AS 44.62.040(d);

1 (5) if applicable, the estimated costs under AS 44.62.190(d)(2) and (3)
2 are less than or equal to zero; or

3 (6) the lieutenant governor determines that the regulation is narrowly
4 tailored, reasonable, and necessary.

5 (c) A state agency may not submit, and the lieutenant governor may not accept
6 for filing, a set of regulations that amend an existing regulation unless

7 (1) at the time the regulation is submitted to the lieutenant governor,
8 the estimated net cost of the set of regulations adopted by the state agency for each of
9 the costs under AS 44.62.190(d)(2) and (3) is less than or equal to zero; or

10 (2) the Department of Commerce, Community, and Economic
11 Development, or a board or commission, adopts the regulation for the purpose of
12 amending an application fee, examination fee, license fee, registration fee, permit fee,
13 investigation fee, or other fee for an occupation licensed or regulated under AS 08.

14 (d) The Alaska Oil and Gas Conservation Commission and the Regulatory
15 Commission of Alaska are exempt from the requirements of (c) of this section.

16 * **Sec. 2.** AS 44.62.040 is amended by adding a new subsection to read:

17 (d) The lieutenant governor may not accept regulations submitted under this
18 section that do not comply with AS 44.62.020. The lieutenant governor may, in
19 writing and for a reasonable cause, extend the time for adopting a regulation
20 implementing a new or amended law under AS 44.62.020(b)(4).

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

23 APPLICABILITY. Section 1 of this Act applies to regulations adopted on or after the
24 effective date of this Act.

25 * **Sec. 4.** This Act takes effect January 1, 2017.