

Introduced: 2/6/76
Referred: State Affairs

1 IN THE SENATE

BY WILLIS AND KERTTULA

2 SENATE BILL NO. 618

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Administrative Procedure Act
7 and the Administrative Regulation Review Committee."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.62.200(a)(3) is amended to read:

10 (3) an informative summary of the proposed subject of agency
11 action, this summary to include at least a statement which explains the
12 purpose of the proposed action, alternative solutions to the problem
13 being addressed by the proposed action, and the reasons for the selec-
14 tion of the solution encompassed by the proposed action;

15 * Sec. 2. AS 44.62 is amended by adding a new section to read:

16 Sec. 44.62.205. PUBLIC HEARINGS. A public hearing shall be held
17 on all regulations required by sec. 40 of this chapter to be filed with
18 the lieutenant governor. These hearings will be held at a time which
19 is most convenient for the public, and at the place where the proposed
20 action is likely to have the most effect or interest to the public.

21 * Sec. 3. AS 44.62.040 is amended by adding new subsections to read:

22 (c) Each regulation required to be filed by this section shall be
23 accompanied by

24 (1) a copy of the notice of the public hearing, describing
25 where and when the notice was published;

26 (2) either a summary or a verbatim transcript of the public
27 hearing held pursuant to sec. 210 of this chapter;

28 (3) a list of the objections to the proposed regulation which
29 were presented at the hearings;

1 (4) a response to each objection, this response to indicate
2 how the objections are to be either satisfied by the proposed rule, or
3 are not meritorious and why;

4 (5) the legal opinion required by sec. 60 of this chapter.

5 (d) At the same time as the proposed regulation, amendment, or
6 order of repeal and the accompanying documents are filed with the
7 lieutenant governor, a copy of all documents will be filed with the
8 administrative regulation review committee in the offices of the Legis-
9 lative Affairs Agency.

10 * Sec. 4. AS 44.62.060(c) is amended to read:

11 (c) The lieutenant governor may not accept for filing a regula-
12 tion, amendment or order of repeal required by sec. 40 of this chapter,
13 unless it is accompanied by the written statement specified in (b) of
14 this section and the statement approves the regulation, amendment or
15 order of repeal, and all other documents required by sec. 40 of this
16 chapter.

17 * Sec. 5. AS 24.20.060(4) is amended to read:

18 (4) to examine all administrative regulations to determine
19 if they properly implement legislative intent and have been subjected
20 to sufficient public scrutiny.