

Original sponsors: Willis and Kerttula

Offered: 5/19/76
Referred: Rules

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR 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 administrative regulations."

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

8 * Section 1. AS 44.62.040 is amended by adding new subsections to read:

9 (c) Each regulation required to be filed by this section shall be
10 accompanied by

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

13 (2) either a summary or a verbatim transcript of the pro-
14 ceedings at the public hearing held under sec. 210 of this chapter;

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

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

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

23 * Sec. 2. AS 44.62.060(c) is amended to read:

24 (c) The lieutenant governor may not accept for filing a regula-
25 tion, amendment, or order of repeal required by sec. 40 of this chapter,
26 unless it is accompanied by the written statement specified in (b) of
27 this section and the statement approves the regulation, amendment or
28 order of repeal, and all other documents required by sec. 40 of this
29 chapter.

1 * Sec. 3. AS 44.62 is amended by adding a new section to read:

2 Sec. 44.62.128. PERIODIC REVIEW. (a) Each regulation adopted by
3 an agency and required to be filed with the lieutenant governor under
4 sec. 40(a) of this chapter shall be reviewed by the agency adopting the
5 regulation every three years.

6 (b) After the review required under (a) of this section, the
7 agency shall notify the lieutenant governor of the regulations reviewed
8 which the agency chooses to continue in force.

9 (c) All regulations subject to review under this section, and
10 which have not been continued in force by the adopting agency under (b)
11 of this section, lapse three years after the date of adoption.

12 * Sec. 4. AS 44.62.200(a)(1) is amended to read:

13 (1) a statement of the time, place, and nature of proceedings
14 for adoption, amendment, or repeal of the regulations, including notice
15 of the time and place for the public hearing required under sec. 210 of
16 this chapter;

17 * Sec. 5. AS 44.62.210 is repealed and re-enacted to read:

18 Sec. 44.62.210. PUBLIC HEARINGS. (a) A public hearing shall be
19 held before the adoption, amendment, or repeal of a regulation which is
20 required to be filed with the lieutenant governor under sec. 40(a) of
21 this chapter. A public hearing under this section shall be held at a
22 time that is convenient for the public and at the place where the pro-
23 posed action is likely to have the most effect in the state or be of
24 greatest interest to the public.

25 (b) At each public hearing under this section the agency shall
26 give each interested person or his authorized representative, or both,
27 the opportunity to present statements, arguments, or contentions orally
28 and in writing. The state agency shall consider all relevant matter
29 presented to it before adopting, amending, or repealing a regulation.

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(c) At a hearing under this section the agency or its authorized representative may administer oaths or affirmations, and may continue or postpone the hearing to a time and place meeting the requirements of (a) of this section.

* Sec. 6. AS 24.20.060(4) is amended to read:

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

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