

Original sponsor: All members of the Senate

1 IN THE SENATE

BY THE RULES COMMITTEE

2

HOUSE CS FOR SENATE BILL NO. 86

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to legislative oversight and designating programs and activities for review and termination under AS 44.66; and providing for an effective date."

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

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* Section 1. LEGISLATIVE PURPOSE. The purpose of secs. 1 - 16 of this Act is to identify and designate the agency programs and activities which will be subject to the legislative oversight process, as required under AS 44.66.030. Before the termination of any agency program identified in this Act, hearings must be held in the same manner and following the same procedures as are followed in the termination hearings for regulatory boards. This Act causes the legislative oversight procedures established for boards and commissions to be applied to the designated executive branch agency programs and activities.

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* Sec. 2. The following laws relating to mechanical inspection functions of the Department of Labor are repealed:

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(1) AS 18.60.220 - 18.60.395 (boiler and pressure vessel inspection);

(2) AS 18.60.600(a)(2), 18.60.600(b), and 18.60.610 - 18.60.650 (electrical wiring inspection);

(3) AS 18.60.715(b), 18.60.720(b), 18.60.725, 18.60.730 and 18.60.740(4) (plumbing code inspection);

(4) AS 18.60.800(b)(2) and 18.60.820 (elevator safety inspection).

1 * Sec. 3. AS 18.80.010 - 18.80.160, 18.80.270 - 18.80.290, and AS 39.50.-
2 200(9)(N) (State Commission on Human Rights) are repealed.

3 * Sec. 4. AS 23.35 (Fisherman's Fund) is repealed.

4 * Sec. 5. AS 44.19.870 - 44.19.881 (division of policy development and
5 planning) are repealed.

6 * Sec. 6. AS 45.50.491 - 45.50.521 (consumer protection - Department of
7 Law) are repealed.

8 * Sec. 7. AS 45.50.531(b) is amended to read:

9 (b) A person entitled to bring an action under this section may,
10 [AFTER INVESTIGATION BY AND APPROVAL OF THE ATTORNEY GENERAL,] if the
11 unlawful act or practice has caused similar injury to numerous other
12 persons similarly situated and if he adequately represents the similarly
13 situated persons, bring an action on behalf of himself and other simi-
14 larly injured and situated persons to recover actual damages. [A PERSON
15 PLANNING TO BRING AN ACTION UNDER THIS SUBSECTION SHALL FIRST SUBMIT TO
16 THE ATTORNEY GENERAL A COPY OF HIS PROPOSED COMPLAINT, AND HE MAY NOT
17 FILE THE COMPLAINT IN COURT WITHOUT THE ATTORNEY GENERAL'S APPROVAL.]

18 In an action brought under this subsection, the court may in its discre-
19 tion order, in addition to damages, injunctive or other equitable relief.

20 * Sec. 8. AS 47.10.150, 47.10.160, and 47.10.180 - 47.10.220 (programs of
21 the Department of Health and Social Services relating to the confinement of
22 juveniles) are repealed.

23 * Sec. 9. A claim for an injury compensable under AS 23.35, repealed by
24 this Act, may be paid by the commissioner of labor if claim for compensation
25 is made within one year of the effective date of this Act. A claim shall be
26 paid in accordance with the provisions of AS 23.35 as the provisions read at
27 the time of repeal. On July 1, 1981 the balance in the fishermen's fund
28 (AS 23.35.060, repealed and AS 37.05.155(a)(6)) lapses into the general fund.

29 * Sec. 10. The inspection responsibilities of the Department of Natural

1 Resources under AS 03.05 are terminated.

2 * Sec. 11. The inspection responsibilities of the Department of Health
3 and Social Services under AS 18.35 are terminated.

4 * Sec. 12. The water inspection responsibilities of the Department of
5 Environmental Conservation under AS 46.03 are terminated.

6 * Sec. 13. The responsibility of the Department of Labor under AS 18.60
7 for programs related to the Occupational Safety and Health Act (OSHA) is
8 terminated.

9 * Sec. 14. The Board of Fisheries, established under AS 16.05.221, is
10 terminated.

11 * Sec. 15. The Board of Game, established under AS 16.05.221, is termi-
12 nated.

13 * Sec. 16. AS 14.58.010 - 14.58.090 (relating to the Alaska Public Broad-
14 casting Commission) are repealed.

15 * Sec. 17. AS 44.62 is amended by adding a new section to read:

16 Sec. 44.62.195. FISCAL NOTES ON REGULATIONS. If the adoption,
17 amendment, or repeal of a regulation would result in the state requiring
18 increased appropriations, the department or agency affected shall pre-
19 pare an estimate of the appropriation increase for the fiscal year of
20 adoption, amendment or repeal and for at least two succeeding fiscal
21 years.

22 * Sec. 18. AS 44.62.200(a) is amended by adding a new paragraph to read:

23 (5) a summary of the fiscal information required to be pre-
24 pared under AS 44.62.195.

25 * Sec. 19. AS 44.62.320(b) is amended to read:

26 (b) At the same time a regulation is filed by the lieutenant
27 governor, the lieutenant governor shall submit the regulation to the
28 chairman of the Administrative Regulation Review Committee for review
29 under AS 24.20.400 - 24.20.460 together with the fiscal information

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required to be prepared under AS 44.62.195.

* Sec. 20. Sections 2 - 13 of this Act take effect July 1, 1980.

* Sec. 21. Sections 14 - 16 of this Act take effect July 1, 1981.