

Introduced: 2/11/80
Referred: State Affairs

1 IN THE SENATE

BY BRADLEY

2 SENATE JOINT RESOLUTION NO. 41

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 Relating to H.R. 601 and H.R. 1776.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7 WHEREAS in any one year an anonymous, faceless, federal bureaucracy
8 adopts about 9,000 regulations, while only about 600 laws are enacted by the
9 elected members of the United States Congress; and

10 WHEREAS on countless occasions federal administrative agencies have
11 usurped the authority of Congress through rule making, by adopting regula-
12 tions implementing laws enacted by Congress which frustrate and distort the
13 will of Congress; and

14 WHEREAS agencies are not required to seriously consider the comments
15 submitted by interested parties before the adoption of a regulation, nor are
16 they obliged to respond even if the overwhelming weight of the evidence
17 contravenes the proposed rule; and

18 WHEREAS judicial review of administrative rule making is not only
19 limited and expensive, but can only be undertaken after the regulation has
20 been adopted; and

21 WHEREAS H.R. 601 and H.R. 1776, recently introduced in the House of
22 Representatives of the 96th Congress, provide that whenever a rule or regula-
23 tion is adopted under the Administrative Procedures Act, it will be referred
24 to Congress for 60 days before it becomes effective; if during the 60-day
25 period either the House or Senate adopts a resolution of disapproval which,
26 in turn, is not rejected by the other body within 30 days, the rule or regu-
27 lation is vetoed, in whole or in part; and

28 WHEREAS, in addition, H.R. 601 and H.R. 1776 contain provisions which
29 will allow either House of Congress to review regulations previously adopted

1 and, if necessary, refer them back to the originating agency for reconsideration
2 and readoption subject to Congressional veto; and

3 WHEREAS Congressional veto of administrative regulations and rules would
4 make administrative agencies more responsive to the public and Congressional
5 intent by forcing realization in each agency that it cannot adopt rules and
6 regulations contrary to Congressional intent with impunity;

7 BE IT RESOLVED by the Alaska State Legislature that it respectfully
8 respects the Congress of the United States to pass H.R. 601 or H.R. 1776.

9 COPIES of this resolution shall be sent to the Honorable Ted Stevens and
10 the Honorable Mike Gravel, U. S. Senators, and the Honorable Don Young, U. S.
11 Representative, members of the Alaska delegation in Congress.

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