

Original sponsors: Fahrenkamp
and Bennett

Offered: 5/15/81
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 5 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the effectiveness of administra-
7 tive regulations."

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

9 * Section 1. AS 44.62.180 is amended to read:

10 Sec. 44.62.180. EFFECTIVE DATE. A regulation or an order of
11 repeal filed by the lieutenant governor becomes effective on the 60th
12 legislative day after the date the regulations were submitted to the
13 Administrative Regulation Review Committee under AS 44.62.320(b) [30TH
14 DAY AFTER THE DATE OF FILING] unless

15 (1) otherwise specifically provided by the statute under
16 which the regulation or order of repeal is adopted, in which event it
17 becomes effective on the day prescribed by the statute;

18 (2) it is a regulation prescribing the organization or pro-
19 cedure of an agency, in which event it becomes effective upon filing by
20 the lieutenant governor or upon a later date specified by the state
21 agency in a written instrument submitted with, or as part of, the regu-
22 lation or order of repeal;

23 (3) it is an emergency regulation or order of repeal adopted
24 under AS 44.62.250, in which case the finding and the statement of the
25 facts constituting the emergency shall be submitted to the lieutenant
26 governor, together with the emergency regulation or order of repeal,
27 which, in that event only, becomes effective upon filing by the lieu-
28 tenant governor or upon a later date specified by the state agency in a
29 written instrument submitted with, or as part of, the regulation or

1 order of repeal;

2 (4) a later date is prescribed by the state agency in a
3 written instrument submitted with, or as part of, the regulation or
4 order of repeal.

5 * Sec. 2. AS 24.20.445 is repealed.

6 * Sec. 3. A regulation adopted as an emergency regulation under the
7 authority of a law enacted by the First Session of the Twelfth Legislature
8 remains in effect until March 11, 1982, notwithstanding the provisions of
9 AS 44.62.260(a).