

Original sponsors: Fahrenkamp, Bennett,
Dankworth, et al

Offered: 6/1/81
Referred: Rules

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 5 (State Affairs)
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 administrative regulations."

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

8 * Section 1. STATEMENT OF INTENT CONCERNING AS 24.20.445(b). It is the
9 intent of the Twelfth Alaska Legislature that the power to suspend the
10 effectiveness of a regulation granted to the Administrative Regulation
11 Review Committee by AS 24.20.445(b) as amended in sec. 2 of this Act is to
12 prevent the public suffering harm before the full legislature has the
13 opportunity to annul the regulation by law.

14 * Sec. 2. AS 24.20.445(b) is amended to read:

15 (b) The effectiveness of an adoption or amendment of a regulation
16 is suspended on the date a resolution of the Administrative Regulation
17 Review Committee resolving that the regulation be suspended [COMMITTEE
18 REPORT PASSING IN FAVOR OF SUSPENSION] is filed with the lieutenant
19 governor. If an adoption of or amendment to a regulation is not effec-
20 tive on the date a resolution [REPORT] is filed with the lieutenant
21 governor, the effectiveness of the adoption or amendment which is the
22 subject of the committee's resolution [REPORT] is suspended from the
23 date the adoption or amendment would otherwise become effective under
24 AS 44.62.180.

25 * Sec. 3. AS 24.20.460 is amended by adding new paragraphs to read:

26 (7) to promote needed revision of regulations which have
27 been adopted by state departments and agencies;

28 (8) to investigate findings which are transmitted to the
29 committee by standing committees in accordance with AS 24.99.001 and,

1 as appropriate, either introduce a bill annulling the regulation or
2 exercise the committee's power to suspend the effectiveness of the
3 regulation in accordance with AS 24.20.445.

4 * Sec. 4. AS 24 is amended by adding a new chapter to read:

5 CHAPTER 99. MISCELLANEOUS PROVISIONS.

6 Sec. 24.99.001. REVIEW OF REGULATIONS BY STANDING COMMITTEES.

7 (a) Standing committees of the legislature furnished notice of a
8 proposed action under AS 44.62.190 shall review the proposed regula-
9 tion, amendment of a regulation, or repeal of a regulation before the
10 date the regulation is scheduled by the department or agency to be
11 adopted, amended, or repealed.

12 (b) Standing committees conducting a review of a regulation under
13 (a) of this section shall determine whether the regulation properly
14 implements legislative intent.

15 (c) Standing committees shall conduct preliminary reviews under
16 this section while the legislature is in session and during the interim
17 period between legislative sessions.

18 (d) If a standing committee determines that a regulation, amend-
19 ment to a regulation, or repeal of a regulation does not properly
20 implement legislative intent, the standing committee's findings shall
21 be transmitted to the Administrative Regulation Review Committee.

22 * Sec. 5. AS 44.62.190(a) is amended by adding new paragraphs to read:

23 (7) furnished to the standing committee of each house of the
24 legislature having legislative jurisdiction over the subject matter
25 treated by the regulation under the Uniform Rules of the Alaska State
26 Legislature, together with a copy of the proposed regulation, amend-
27 ment, or order of repeal for the committee's use in conducting the
28 review authorized by AS 24.99.001;

29 (8) furnished to the staff of the Administrative Regulation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Review Committee.