

Original sponsors: Fahrenkamp, Bennett,
Dankworth, et al

Offered: 6/19/81
Referred: Rules

1 IN THE SENATE

BY THE RULES COMMITTEE

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

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 oppor-
13 tunity 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 or repeal of regulations that
27 have been adopted by state departments and agencies and, when the com-
28 mittee determines a regulation should be repealed or amended, introduce
29 a bill requiring the repeal or amendment of the regulation;

1 (8) to investigate findings which are transmitted to the
2 committee by standing committees in accordance with AS 24.99.001 and,
3 as appropriate, either introduce a bill annulling the regulation or
4 exercise the committee's power to suspend the effectiveness of the
5 regulation in accordance with AS 24.20.445.

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

7 CHAPTER 99. MISCELLANEOUS PROVISIONS.

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

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13 adopted, amended, or repealed.

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

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

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

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

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

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review authorized by AS 24.99.001;
(8) furnished to the staff of the Administrative Regulation
Review Committee.