

Introduced: 3/16/87
Referred: State Affairs

5-0842A

1 IN THE SENATE

BY COGHILL AND JONES

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SENATE BILL NO. 186

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act limiting the scope and content of regulations
7 adopted under the Administrative Procedure Act; and
8 providing for an effective date."

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

10 * Section 1. AS 44.62.020 is amended to read:

11 Sec. 44.62.020. AUTHORITY TO ADOPT, ADMINISTER, OR ENFORCE
12 REGULATIONS. Except for the authority conferred upon the lieutenant
13 governor in AS 44.62.130 - 44.62.170, AS 44.62.010 - 44.62.320 do not
14 confer authority upon or augment the authority of a state agency to
15 adopt, administer, or enforce a regulation. To be effective, each
16 regulation adopted must be within the scope of authority conferred and
17 in accordance with standards prescribed by other provisions of law.
18 Unless authorized by state law, a regulation on a matter that is also
19 subject to federal regulation may not limit the activities or choices
20 available to those regulated to an extent greater than the minimum
21 federal requirements.

22 * Sec. 2. Notwithstanding sec. 1 of this Act, until July 1, 1988, an
23 agency may enforce an otherwise valid regulation that is in effect on the
24 effective date of this Act even though the regulation conflicts with
25 AS 44.62.020 as amended by this Act.

26 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).