

SJR

3

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/1/99

FURTHER: 2/16/99

DATE TURNED

IN TO OFFICE: 2/16/99

Finance Committee considered

SENATE JOINT RESOLUTION NO. 3

Proposing an amendment to the Constitution of the State of Alaska relating to the repeal of regulations by the legislature.

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR# _____

| SIGNING DO PASS | DP | OTHER RECOMMENDATIONS | NR | DNP | AM |
|-------------------------------|----|------------------------|----|-----|----|
| | | <i>Lynda Green</i> | ✓ | | |
| | | <i>Pete Kelly</i> | ✓ | | |
| | | <i>Al Adams</i> | | X | |
| | | <i>Ken Leibel</i> | ✓ | | |
| | | <i>Kevin D. Jensen</i> | ✓ | | |
| Co-Chair: <i>Boyer</i> | ✓ | Co-Chair: | | | |
| Co-Chair: <i>Sean Farrell</i> | ✓ | Co-Chair: | | | |

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

| Department | Date | Zero | Fiscal |
|------------------|--------|------|--------|
| Gov/Elective Op. | 2/9/99 | | 1.5 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE FINANCE COMMITTEE
1999 COMMITTEE ACTION

| | |
|-----------------------------------|--------------------|
| Bill Number | SJR 3 |
| Amendment | |
| Motion | Report from Cmte |
| <u>Motion by</u> | Wilkins |
| <u>Objection</u> | |
| <u>Objection by</u> | Adams |
| <u>Removed</u> | |
| <u>Second Objection by</u> | |
| <u>Committee Member</u> | <u>Vote</u> |
| Senator Dave Donley | absent |
| Senator Loren Leman | yes |
| Senator Al Adams | no |
| Senator Gary Wilken | yes |
| Senator Pete Kelly | yes |
| Senator Lyda Green | yes |
| Senator Randy Phillips | absent |
| Co-Chair Sean Parnell | yes |
| Co-Chair John Torgerson | yes |
| | |
| <u>Tally</u> | |
| Yea | 0 6 |
| Nay | 0 1 |
| Absent | 0 |
| | |
| <u>MOTION</u> | |

SENATE FINANCE
COMMITTEE
Amendment Number: #1
Bill Number: SJR 3
Sponsor: Adams Date: 2/11/99
Logged In By: Mindu

I-LS0313\A.1
Bannister ✓
2/10/99

AMENDMENT

OFFERED IN THE SENATE
TO: SJR 3

moved BY SENATOR ADAMS
object Sen Green
3 yeas - 5 nays FAILED
(Parnell absent)

- 1 Page 1, line 8, following "regulation by a":
- 2 Insert "written"
- 3 Page 1, line 9, following "house.":
- 4 Insert "The resolution must contain language explaining why the legislature finds the
- 5 regulation inconsistent with the regulation's enabling statute."

SENATE FINANCE COMMITTEE
1999 COMMITTEE ACTION

| | |
|-----------------------------------|--------------------|
| Bill Number | SJR 3 |
| Amendment # | #1 |
| Motion | adopt |
| <u>Motion by</u> | Adams |
| <u>Objection</u> | Green |
| <u>Objection by</u> | |
| <u>Removed</u> | |
| <u>Second Objection by</u> | |
| <u>Committee Member</u> | <u>Vote</u> |
| Senator Pete Kelly | 4 |
| Senator Lyda Green | 2 |
| Senator Randy Phillips | 2 |
| Senator Dave Donley | 2 |
| Senator Loren Leman | 2 |
| Senator Al Adams | 2 |
| Senator Gary Wilken | 2 |
| Co-Chair Sean Parnell | 1 |
| Co-Chair John Torgerson | 2 |
| | |
| <u>Tally</u> | |
| Yea | 0 53 |
| Nay | 0 50 |
| Absent | 0 1 |
| | |
| <u>MOTION</u> | fail |

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SJR3

Revision Date/ 2/9/99 Dept. Affected Office of the Governor
 Title Constitutional Amendment relating to BRU Elective Operations
the repeal of regulations by the legislature Component General and Primary
 Sponsor Senator Taylor
 Requester Senate Finance Committee Component Serial No. 22

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 | FY 2005 |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | 1.5 | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 1.5 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 1.5 | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other (Specify Type) | | | | | | |
| TOTAL | 1.5 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY99) cost: _____

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by Gail Fenumial *Gail Fenumial* Phone 465-3935
 Division Division of Elections Date/Time 2/9/99 9:05 AM
 Approved by C. Lt. Governor Fran Ulmer *Fran Ulmer* Date 2/9/99
 Agency Office of the Lieutenant Governor

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Senator Robin L. Taylor

Sponsor Statement

Senate Joint Resolution 3 - Repeal of Regulations

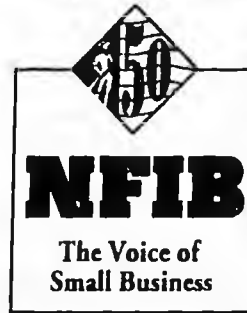
Senate Joint Resolution 3 is a proposed amendment to the Constitution of the State of Alaska which would grant the Legislature the ability to repeal a regulation adopted by a state department or agency that is inconsistent with its enabling statute. This proposed amendment would allow the repeal of a regulation by a resolution passed by a majority of the members of each house.

The numerous regulations contained in the Alaska Administrative Code were not created by legislators. The only recourse for the Legislature is to repeal the law that enabled the regulation. This wastes Alaskan's time and money in the process. The repeal of burdensome regulations is vital to the progress of economic development for all of Alaska.

This issue has come before the voters in the past and now the time has come again for the voters to reduce the amount of time and money spent in legislation. Voters would have the chance to speak out about the proposed amendment in the next general election.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell



NFIB Alaska

National Federation of Independent Business

Statement of Support

of SJR 3

A resolution calling for a constitutional amendment to allow the legislature to annul regulations found to be inconsistent with the intent of the law.

January 29, 1999

The Alaska Chapter of the National Federation of Independent Business has 3,000 members, making it the largest small-business advocacy group in the state.

The legislative agenda of NFIB is determined by ballot. The ballot is our poll of members on a series of state legislative and regulatory issues.

NFIB/Alaska ballot results have shown very strong support for giving the voters the chance to amend the constitution to allow repeal of regulations by the legislature. Following are the ballot results on this issue:

Should the State of Alaska place a proposed constitutional amendment before the voters to decide whether the legislature should be given the authority to repeal regulations found to be improper or inconsistent with the law?

73 % YES

15 % NO

12 % Undecided

NFIB/Alaska urges support for SJR 3.

Submitted by Thyes Shaub on behalf of NFIB/Alaska.