

**SJR**

**30**

# SENATE COMMITTEE REPORT

DATE: 2/10/00

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Judiciary Committee considered

SENATE JOINT RESOLUTION NO. 30

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 Jul 11 CS SCR 30 (Jul 11)
- 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>Rich Halford</i>	✓	<i>Billis</i>		<del>✓</del>	
<i>Debra Dorely</i>	✓				
CHAIR: <i>John L. Taylor</i>	✓	CHAIR:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
<i>GOV - ELECTIONS</i>	<i>2/13</i>		<i>1.0</i>

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. SJR30

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Office of the Governor  
 Title Constitutional Amendment: Relating to the BRU Elective Operations  
repeal of regulations by the legislature Component Elections  
 Sponsor Senator Taylor  
 Requester Senate Judiciary Committee Component No. 21

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual	1.5					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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)						
<b>TOTAL</b>	<b>1.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: 0.0

**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 Fenurta *Gail Fenurta* Phone 465-3935  
 Division Division of Elections Date/Time 2/15/00 12:35 PM  
 Approved by: Lt. Governor Fran Ulmer *Fran Ulmer* Date 02/15/2000  
 Agency Office of the Lieutenant Governor

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

SENATE JOINT RESOLUTION NO. 30

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY SENATOR TAYLOR

Introduced: 1/10/00

Referred: State Affairs, Judiciary

A RESOLUTION

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

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. Article II, Constitution of the State of Alaska, is amended by adding a new  
5 section to read:

6 Section 22. Repeal of Regulations. [The legislature may, after finding that a  
7 A regulation [adopted by a State department or agency] <sup>FOUND</sup> is inconsistent with its enabling  
8 statute, <sup>IS</sup> repeal <sup>ED</sup> the regulation] by a resolution concurred in by a majority of the members  
9 of each house. <sup>OF THE LEG.</sup> The repeal of the regulation is effective thirty days after the passage  
10 of the resolution by the legislature unless a different prospective effective date is  
11 specified in the resolution.

12 \* Sec. 2. The amendment proposed by this resolution shall be placed before the voters of  
13 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the  
14 State of Alaska, and the election laws of the state.

# Alaska State Legislature

Chairman,  
Judiciary Committee  
Administrative Regulations  
Revenue Committee

Vice Chairman,  
Resources Committee



*Senator Robin L. Taylor*

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-3873  
Fax: (907) 465-3922

50 Front Street  
Suite 203  
Ketchikan, Alaska 99901  
(907) 225-8088  
Fax: (907) 225-0713

## SPONSOR STATEMENT

### SJR 30

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

SJR 30 is a proposed amendment to the Constitution of the State of Alaska. It would grant the legislature the authority to repeal a regulation adopted by a state agency that is inconsistent with the enabling statute.

The legislature does not have authority at this time to change onerous regulations that are not within the original intent of the enabling statute. The only way the legislature can make changes is by recommendation or by statutory change to better clarify the original intent.

This issue has come before the voters in the past, several people have approached the Administrative Regulation Review Committee to try again. SJR 30 is supported by the Alaska State Chamber of Commerce, the National Federation of Independent Business.

District A:

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

Headquarters:  
217 2nd Street, Suite 201  
Juneau, Alaska 99801  
(907) 586-2323 FAX 463-5515



Senator Robin Taylor  
Chair, Senate Judiciary Committee  
Alaska State Capitol  
Juneau, Alaska

Re: SJR30, Legislative Repeal of Regulations

Dear Senator Taylor:

The Alaska State Chamber of Commerce, representing approximately 700 member businesses, as well as a network of local chambers of commerce statewide, supports SJR 30, relating to the repeal of regulations by the Legislature.

The volumes of regulations produced by the bureaucracy are beyond the checks and balances that are part of the legislative process. It is essential that the elected leaders of Alaska, rather than the anonymous members of the bureaucracy, have the final say on the laws Alaskans live by and the regulations that implement those laws. SJR 30 would return the system of checks and balances to the regulatory process that was intended by the creators of Alaska's Constitution.

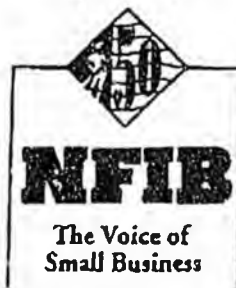
SJR 30 is a straight forward and clearly worded proposal that the ASCC membership believes should be put before the public. We urge the Committee's support of SJR 30.

Sincerely,

A handwritten signature in cursive script that reads "Pamela La Bolle".

Pamela La Bolle  
President

NFIB Alaska



**National Federation of Independent Business**

**Statement of Support**

**of SJR 30**

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

**February 15, 2000**

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**

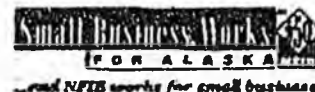
**12 % Undecided**

NFIB/Alaska urges support for SJR 30.

Submitted by Thyes Shaub on behalf of NFIB/Alaska.

**National Federation of Independent Business**

217 Second Street, Suite 206 • Juneau, AK 99801 • 907-463-5118 • Fax 907-463-5128



NFIB