



LAWS OF ALASKA

1982

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Chapter No.

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AN ACT

Relating to administrative regulations; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Veto Overridden: January 15, 1982
Actual Effective Date: January 16, 1982

AN ACT

Relating to administrative regulations; and providing
for an effective date.

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

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

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

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

(7) to promote needed revision or repeal of regulations that have been adopted by state departments and agencies and, when the committee determines a regulation should be repealed or amended,

Chapter 1

1 to introduce a bill that would enact a statute that would supersede or
2 nullify the regulation;

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

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

9 CHAPTER 99. MISCELLANEOUS PROVISIONS.

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

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

16 (b) A standing committee conducting a review of a regulation
17 under (a) of this section shall determine whether the regulation prop-
18 erly implements legislative intent.

19 (c) A standing committee shall conduct preliminary reviews under
20 this section while the legislature is in session and during the interim
21 between legislative sessions.

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

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

27 (7) furnished to the standing committee of each house of the
28 legislature having legislative jurisdiction over the subject matter
29 treated by the regulation under the Uniform Rules of the Alaska State

Chapter 1

1 Legislature, together with a copy of the proposed regulation, amend-
2 ment, or order of repeal for the committee's use in conducting the
3 review authorized by AS 24.99.001;

4 (8) furnished to the staff of the Administrative Regulation
5 Review Committee.

6 * Sec. 6. This Act takes effect July 1, 1981.
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