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REPRESENTATIVE MIKE CHENAULT HOUSE DISTRICT 29

SPONSOR STATEMENT

HOUSE BILL 168: "An Act relating to regulation notice and review by the legislature; and relating to the Administrative Regulation Review Committee."

The purpose of House Bill 168 is to repeal the statutes pertaining to the Administrative Regulation Review Committee. According to the analysis provided by Legislative Research, included in your packets, the ARRC has not overturned any regulations as a result of these committee hearings. Although AS 24.20.445 provides that the committee can suspend regulations for a "certain time period," the Alaska Supreme Court found in a 1980 case, that the Legislature has no implied power to veto agency regulations by informal legislative action and such actions would violate Article II of the state Constitution. The actions available to the ARRC are to introduce legislation to supersede or nullify regulations. However, Legislative Research was not able to find any effort to do so from 2003 to the present.

House Bill 168 repeals all references to the ARRC throughout the statutes. The sectional analysis references the statutes where the ARRC is repealed.

A uniform rule change, House Concurrent Resolution 10, is also being proposed that allows the jurisdiction of a standing committee to oversee proposed or adopted regulations to replace regulation oversight that are currently under the jurisdiction of ARRC.

The Administrative Regulation Review Committee has not been funded for this and the upcoming fiscal years.