

ALASKA STATE LEGISLATURE
SENATE RULES COMMITTEE
February 14, 2002
10:33 a.m.

MEMBERS PRESENT

Senator Randy Phillips, Chair
Senator Gene Therriault
Senator Johnny Ellis

MEMBERS ABSENT

Senator John Cowdery, Vice Chair
Senator Rick Halford

COMMITTEE CALENDAR

SENATE BILL NO. 244

"An Act extending the termination date of the Board of Examiners in Optometry; and relating to optometrists."

ADOPTED CSSB 244(RLS) AND APPROVED FOR CALENDARING

SENATE BILL NO. 257

"An Act extending the termination date of the Board of Professional Counselors."

APPROVED FOR CALENDARING

HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels.

APPROVED FOR CALENDARING

PREVIOUS COMMITTEE ACTION

SB 244 - See Labor and Commerce minutes dated 1/31/02.

SB 257 - See Labor and Commerce minutes dated 2/7/02 and Finance minutes dated 2/12/02.

HCR 12 - See Labor and Commerce minutes dated 2/7/02.

WITNESS REGISTER

Ms. Pat Davidson
Division of Legislative Budget & Audit
Legislative Affairs Agency

Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Explained an amendment to SB 244

ACTION NARRATIVE

TAPE 02-01, SIDE A
Number 001

CHAIRMAN RANDY PHILLIPS called the Senate Rules Committee meeting to order at 10:33 a.m. Senators Therriault, Ellis and Phillips were present.

#SB 244

CHAIRMAN PHILLIPS informed committee members that **SB 244-OPTOMETRISTS: SUNSET AND MISCELLANEOUS** would be the first order of business and that an amendment to SB 244 would be offered.

SENATOR THERRIAULT explained that when SB 244 was heard in the Senate Labor and Commerce Committee, Senator Davis worked out compromise language for an amendment based on a recent legislative audit recommendation. That amendment was removed by the Senate Finance Committee with minimal discussion. He noted that Senator Stevens was perplexed because when the bill moved from the Senate Labor and Commerce Committee, it received five "do pass" recommendations. The adoption of the amendment by the Senate Rules Committee will restore the bill to the Senate Labor and Commerce Committee version.

SENATOR THERRIAULT moved to adopt Amendment 1, which reads:

AS 08.72.150 is amended to read:

Sec.08.72.150. Application for examination and issuance of license. An applicant shall apply for the examination by filing an application with the department together with the examination fee by the deadline established by the department in regulations. **The department may require the applicant to submit a photograph of the applicant for its files, however the photograph may not be forwarded with the application to the board for review.** Upon successful completion of the examination by the applicant and payment of the license fee, the board shall issue a license to the successful applicant. The applicant may practice optometry in the state upon receipt of the license.

MS. PAT DAVIDSON, Division of Legislative Audit, told committee members that the division recently audited the Board of Examiners of Optometry and recommended that the Board remove its requirement that a photograph accompany applications. That requirement is in regulation. The basis for that recommendation is that the photograph provides an opportunity to introduce prejudice into an evaluation function. The division can keep photographs on file for identification purposes, but photographs are unnecessary when the board is contemplating an application. The recommendation is to remove that requirement from regulation.

SENATOR THERRIAULT said the compromise language allows the division to require a photograph to be submitted but it cannot forward the photograph with the application when it is reviewed. He said one question that has been asked is why this change is only being made on this license application.

MS. DAVIDSON said the photograph issue has been a recurring theme in the division's audit recommendations on boards under sunset review. However, adoption of that recommendation has been inconsistent. She stated that more emphasis is placed on getting identification when someone sits for an examination.

CHAIRMAN PHILLIPS said with no further discussion and a 3 to 0 vote, Amendment 1 was adopted.

SENATOR THERRIAULT moved CSSB 244(RLS) and its attached fiscal note from committee for the purpose of calendaring.

CHAIRMAN PHILLIPS announced that with no objection, the motion carried.

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#SB 257

SENATOR THERRIAULT moved to calendar **SB 257-EXTEND BOARD OF PROFESSIONAL COUNSELORS** with its attached fiscal note.

CHAIRMAN PHILLIPS noted with no testimony and no objections to the motion, SB 257 would be calendared on Wednesday.

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#HCR 12

SENATOR THERRIAULT moved to calendar **HCR 12-FOREIGN SHIPS AND U.S. LONGSHOREMEN** and its attached zero fiscal note.

CHAIRMAN PHILLIPS announced that with no objection, HCR 12 would be placed on Wednesday's calendar.

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There being no further business to come before the committee,
CHAIRMAN PHILLIPS adjourned the meeting at 10:45 a.m.