

SENATE CS FOR CS FOR HOUSE BILL NO. 252(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/7/04

Referred: Rules

Sponsor(s): REPRESENTATIVES MCGUIRE, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the terms and duties of the members of the State Board of**
2 **Registration for Architects, Engineers and Land Surveyors; and relating to the**
3 **employment and classification of an executive secretary for the board."**

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

5 *** Section 1.** AS 08.48.021 is amended by adding a new subsection to read:

6 (c) For purposes of determining appointments and terms under AS 08.01.035,
7 notwithstanding the reference in that section relating to eligibility for reappointment
8 after serving a full or partial term,

9 (1) a member who has served all of two successive terms on the board
10 may not be reappointed to the board unless four years have elapsed since the person
11 last served on the board; and

12 (2) for purposes of (1) of this subsection, a person who serves for two
13 years or more of a four-year term is considered to have served a full term.

14 *** Sec. 2.** AS 08.48 is amended by adding a new section to read:

1 **Sec. 08.48.055. Executive secretary of the board.** (a) The department, in
 2 consultation with the board, shall employ an individual who is not a member of the
 3 board to serve as the executive secretary of the board. The executive secretary is the
 4 principal executive officer of the board and is in the partially exempt service under
 5 AS 39.25.120.

6 (b) The executive secretary of the board shall perform duties as prescribed by
 7 the board.

8 * **Sec. 3.** AS 08.48.101(a) is amended to read:

9 (a) The board may adopt regulations to carry out the purpose of this chapter,
 10 including **regulations**

11 (1) describing the contents of an examination;

12 (2) establishing the conduct of an examination;

13 (3) establishing a minimum score for passing an examination;

14 (4) establishing bylaws governing its meetings and activities;

15 (5) publishing a code of ethics or professional conduct for those
 16 persons regulated by this chapter, including corporations, limited liability companies,
 17 and limited liability partnerships under AS 08.48.241;

18 **(6) establishing continuing education requirements for persons**
 19 **regulated by this chapter that must be completed before a certificate may be**
 20 **renewed; the continuing education requirements may not exceed standards**
 21 **established by a national accrediting body or other recognized professional**
 22 **organization.**

23 * **Sec. 4.** AS 39.25.120(c) is amended to read:

24 (c) The following positions in the state service constitute the partially exempt
 25 service:

26 (1) deputy and assistant commissioners of the principal departments of
 27 the executive branch, including the assistant adjutant general of the Department of
 28 Military and Veterans' Affairs;

29 (2) the directors of the major divisions of the principal departments of
 30 the executive branch and the regional directors of the Department of Transportation
 31 and Public Facilities;

1 (3) attorney members of the staff of the Department of Law, of the
2 public defender agency, and of the office of public advocacy in the Department of
3 Administration;

4 (4) one private secretary for each head of a principal department in the
5 executive branch;

6 (5) employees of councils, boards, or commissions established by
7 statute in the Office of the Governor or the office of the lieutenant governor, unless a
8 different classification is provided by statute;

9 (6) not more than two special assistants to the commissioner of each of
10 the principal departments of the executive branch, but the number may be increased if
11 the partially exempt service is extended under AS 39.25.130 to include the additional
12 special assistants;

13 (7) the principal executive officer of the following boards, councils, or
14 commissions:

15 (A) Alaska Public Broadcasting Commission;

16 (B) Professional Teaching Practices Commission;

17 (C) Parole Board;

18 (D) Board of Nursing;

19 (E) Real Estate Commission;

20 (F) Alaska Royalty Oil and Gas Development Advisory Board;

21 (G) Alaska State Council on the Arts;

22 (H) Alaska Police Standards Council;

23 (I) Alaska Commission on Aging;

24 (J) Alaska Mental Health Board;

25 (K) State Medical Board;

26 (L) Governor's Council on Disabilities and Special Education;

27 (M) Advisory Board on Alcoholism and Drug Abuse;

28 (N) Statewide Suicide Prevention Council;

29 **(O) the State Board of Registration for Architect, Engineers**
30 **and Land Surveyors;**

31 (8) Alaska Pioneers' Home managers;

- 1 (9) hearing examiners in the Department of Revenue;
- 2 (10) the comptroller in the division of treasury, Department of
3 Revenue;
- 4 (11) airport managers in the Department of Transportation and Public
5 Facilities employed at the Anchorage and Fairbanks International Airports;
- 6 (12) the deputy director of the division of insurance in the Department
7 of Community and Economic Development;
- 8 (13) the executive director and staff of the Alaska Public Offices
9 Commission;
- 10 (14) the rehabilitation administrator of the Workers' Compensation
11 Board;
- 12 (15) guards employed by the Department of Public Safety for
13 emergencies;
- 14 (16) marine pilot coordinator of the Board of Marine Pilots;
- 15 (17) guards employed by the Department of Corrections, other than in
16 state correctional facilities, to carry out the responsibility of the commissioner of
17 Corrections under AS 33.30.071(b);
- 18 (18) hearing officers and administrative law judges of the Regulatory
19 Commission of Alaska;
- 20 (19) the compact administrator appointed under AS 33.36.130.