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IN THE HOUSE

BY MR. HELLENTHAL

HOUSE BILL NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act providing for a customer or public member for 14 of the regulatory agencies of the state to replace one member from each of said agencies presently chosen from the profession, trade or business regulated, or to add additional members to said boards chosen from the customer public and not from the profession, trade or business regulated; amending Sec. 6, Ch. 64, SLA 1959 as amended by Sec. 2, Ch. 34, SLA 1960; Secs. 1 and 2, Art. II, Ch. 68, SLA 1957 as amended by Sec. 1, Ch. 168, SLA 1960; Sec. 35-3-23, ACLA 1949; Secs. 1 and 2, Art II, Ch. 186, SLA 1955; Sec. 1, Ch. 158, SLA 1960; Sec. 35-2-143, ACLA 1949 as amended by Sec. 3, Ch. 111, SLA 1949; Sec. 5, Ch. 196, SLA 1955 as amended by Sec. 1, Ch. 178, SLA 1960; Sec. 3(1), Ch. 52, SLA 1957; Sec. 35-3-82, ACLA 1949; Secs. 3 and 4, Art. II, Ch. 90, SLA 1957; Sec. 35-3-132, ACLA 1949; Sec. 3, Ch. 194, SLA 1955; Sec. 2 (2), Ch. 187, SLA 1960; Sec. 1, Ch. 109, SLA 1959; and Sec. 1, Ch. 183, SLA 1960; and providing for an effective date."

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

2 Section 1. Sec. 6, Ch. 64, SLA 1959 as amended by Sec. 2,
3 Ch. 34, SLA 1960 is amended to read:

4 Sec. 6. APPOINTMENT, QUALIFICATIONS, COMPENSATION, AND
5 TERMS OF OFFICE OF MEMBERS OF DEPARTMENTAL BOARDS, COUNCILS
6 OR COMMISSIONS. The term "board" wherever stated in this Act
7 shall include councils and commissions and said terms are
8 hereby declared to be used interchangeably insofar as sub-
9 stantive provisions are concerned.

10 The members of each appointive board established by
11 this Act shall be citizens of the United States appointed by
12 the Governor, subject to confirmation by a majority of the
13 members of the Legislature in joint session, on the basis of
14 their interest in public affairs, their good judgment, their
15 knowledge and ability in the field of action of the depart-
16 ment for which appointed, and with a view to providing
17 diversity of interest and points of view in the membership.
18 After the effective date of this Act the first vacancy of any
19 board hereafter listed in Sec. 2 of this Act shall be filled
20 by the appointment of a person to be known as a customer or
21 public member chosen from the customer public, otherwise
22 qualified, except that such appointee shall not be a member,
23 licensed or unlicensed, of the profession, trade or business
24 regulated and need have no special knowledge or ability in
25 the field of action of the department or board for which
26 appointed; and upon expiration of the terms of public members
27 their successors shall be similarly qualified. After said
28 first vacancy is so filled future appointments shall be made
29 as otherwise provided in the laws creating and governing

1 said boards as amended by this Act. Initial appointments of
2 board members shall be, in the case of three-member boards,
3 for one, two, and three years respectively; in the case of
4 five-member boards, for one, two, three, four, and five years
5 respectively; in the case of six-member boards, two members
6 shall serve for one year, two for two years, and two for
7 three years respectively; and in the case of eight-member
8 boards, two members shall serve for one year, two for two
9 years, two for three years, and two for four years respec-
10 tively. Initial terms shall date from the first of February
11 immediately preceding appointment. Thereafter, terms of
12 board members shall be as hereinafter provided. Vacancies
13 occurring during a term of office shall be filled in the same
14 manner as the original appointment is made and for the
15 balance of the unexpired term. Board members shall hold
16 office at the pleasure of the Governor notwithstanding their
17 respective terms.

18 Sec. 2. This law shall apply to the 14 following regulatory
19 agencies that do not have customer or public members as herein
20 defined in Sec. 1:

21 (1) Board of Barber Examiners (See Ch. 68, SLA 1957 as
22 amended by Ch. 168, SLA 1960)

23 (2) Board of Chiropractic Examiners (See Sec. 35-3-23,
24 ACLA 1949)

25 (3) Board of Dental Examiners (See Ch. 186, SLA 1955)

26 (4) Board of Electrical Examiners (See Ch. 158, SLA 1960)

27 (5) Territorial Board of Engineers and Architects
28 Examiners (See Sec. 35-2-143, ACLA 1949 as amended by Ch. 111,
29 SLA 1949)

1 (6) Board of Governors of the Alaska Bar (See Ch. 196,
2 SLA 1955 as amended by Ch. 178, SLA 1960)

3 (7) Board of Hairdressing and Beauty Culture Examiners
4 (See Ch. 52, SLA 1957 as amended by Ch. 112, SLA 1959)

5 (8) Board of Medical Examiners (See Sec. 35-3-82, ACLA
6 1949)

7 (9) Board of Nursing (See Ch. 90, SLA 1957 as amended
8 by Ch. 80, SLA 1960)

9 (10) Board of Examiners in Optometry (See Sec. 35-3-132
10 ACLA 1949)

11 (11) Board of Pharmacy (See Ch. 194, SLA 1955)

12 (12) Alaska State Board of Public Accountancy (See Sec.
13 2(2), Ch. 187, SLA 1960)

14 (13) Real Estate Examining Board (See Ch. 154, SLA
15 1957 as amended by Chs. 109 and 144, SLA 1959)

16 (14) Alcoholic Beverage Control Board (See Ch. 183,
17 SLA 1960)

18 Sec. 3. The Governor shall appoint within 30 days of the
19 effective date of this Act, two additional members for three year
20 terms to the Board of Governors of the Alaska Bar, said members
21 to meet the qualifications of a person appointed to a first
22 vacancy as prescribed in Sec. 1 of this Act and to serve until his
23 successor is appointed and qualified.

24 Sec. 4. Until the Real Estate Examining Board created by
25 Ch. 154, SLA 1957 as amended by Chs. 109 and 144, SLA 1959, is
26 reconstituted, an advisory, non-voting, and observing member
27 having the qualifications of a person appointed to a first vacancy
28 as prescribed in Sec. 1 of this Act, shall be appointed by the
29 Governor within 30 days of the effective date of this Act, to

1 serve for a four year term, or until his successor is appointed
2 and qualified.

3 Sec. 5. Nothing in this Act shall be construed to prohibit
4 the appointment, as heretofore, of one or more members, chosen
5 from the general public but not engaged in the same business,
6 occupation or profession, to the Alcoholic Beverage Control Board
7 created by Ch. 183, SLA 1960.

8 Sec. 6. The following laws and parts of laws are amended so
9 as to be consistent with this Act: (Board of Barber Examiners)
10 Secs. 1 and 2, Art. II, Ch. 68, SLA 1957 as amended by Sec. 1, Ch.
11 168, SLA 1960; (Board of Chiropractic Examiners) Sec. 35-3-23,
12 ACLA 1949; (Board of Dental Examiners) Secs. 1 and 2, Art. II,
13 Ch. 186, SLA 1955; (Board of Electrical Examiners) Sec. 1, Ch. 158
14 SLA 1960; (Territorial Board of Engineers and Architects Examiners)
15 Sec. 35-2-143, ACLA 1949 as amended by Sec. 3, Ch. 111, SLA 1949;
16 (Board of Governors of the Alaska Bar) Sec. 5, Ch. 196, SLA 1955
17 as amended by Sec. 1, Ch. 178, SLA 1960; (Board of Hairdressing
18 and Beauty Culture Examiners) Sec. 3(1), Ch. 52, SLA 1957; (Board
19 of Medical Examiners) Sec. 35-3-82, ACLA 1949; (Board of Nursing)
20 Secs. 3 and 4, Art. II, Ch. 90, SLA 1957; (Board of Examiners in
21 Optometry) Sec. 35-3-132, ACLA 1949; (Board of Pharmacy) Sec. 3,
22 Ch. 194, SLA 1955; (Alaska State Board of Public Accountancy)
23 Sec. 2(2), Ch. 187, SLA 1960; (Real Estate Examining Board) Sec.
24 1, Ch. 109, SLA 1959; (Alcoholic Beverage Control Board) Sec. 1,
25 Ch. 183, SLA 1960.

26 Sec. 7. This Act takes effect on the day after its passage
27 and approval or on the day it becomes law without such approval.
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