

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

IN THE SENATE BY THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

SENATE BILL NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRD LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to administrative and fiscal reorganization of occupational and professional boards."

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

\* Section 1. AS 08.04.060 is amended to read:

Sec. 08.04.060. BOARD EXPENSES [EMPLOYMENT OF PERSONNEL]. [THE BOARD MAY EMPLOY SUCH PERSONNEL, INCLUDING LEGAL COUNSEL, AND ARRANGE FOR SUCH ASSISTANCE AS IT REQUIRES FOR THE PERFORMANCE OF ITS DUTIES.] Each member of the board shall be paid per diem and other expenses allowed by law.

\* Sec. 2. AS 08.04.430 is amended to read:

Sec. 08.04.430. EXPIRATION AND RENEWAL. Any permit or registration under secs. 390 - 420 of this chapter expires on January [DECEMBER] 31 of each year and, unless revoked or suspended, shall be renewed by the board annually upon payment of a renewal fee in the same amount as the original fee.

\* Sec. 3. AS 08.08.190 is repealed and re-enacted to read:

Sec. 08.08.190. DEPOSIT OF FUNDS. All money collected under this chapter shall be paid into the general fund.

\* Sec. 4. AS 08.12.150 is amended to read:

Sec. 08.12.150. ANNUAL RENEWAL OF LICENSES. Each license is valid for a term of one year and shall be renewed

1 annually. If the annual license fee is not paid before  
2 February [JULY] 1 of each year, a penalty of \$2 shall be  
3 added to the renewal fee. A license not renewed by April  
4 [SEPTEMBER] 1 of each year lapses. A lapsed license may be  
5 reinstated if the license has not been lapsed for a period  
6 of more than five years and the licensee pays a sum twice  
7 the amount of the renewal fee.

8 \* Sec. 5. AS 08.12.190 is repealed and re-enacted to read:

9 Sec. 08.12.190. DEPOSIT OF FUNDS. All money collect  
10 under this chapter shall be paid into the general fund.

11 \* Sec. 6. AS 08.16.040 is amended to read:

12 Sec. 08.16.040. OFFICERS OF BOARD. The lay member of  
13 the board is chairman and executive officer. The board  
14 shall elect one of the members secretary-treasurer. [THE  
15 SECRETARY-TREASURER SHALL GIVE BOND IN FORM AND AMOUNT  
16 APPROVED BY THE GOVERNOR.]

17 \* Sec. 7. AS 08.16.110 is repealed and re-enacted to read:

18 Sec. 08.16.110. MISCELLANEOUS BOARD ACTIVITIES. The  
19 board shall keep a record of its proceedings and shall sub-  
20 mit an annual report to the governor containing a record of  
21 the proceedings. Each board member is entitled to per diem  
22 and expenses authorized by law.

23 \* Sec. 8. AS 08.16.220 is repealed and re-enacted to read:

24 Sec. 08.16.220. DEPOSIT OF FUNDS. All money collected  
25 under this chapter shall be paid into the general fund.

26 \* Sec. 9. AS 08.16 is amended by adding a new section to  
27 read:

28 Sec. 08.16.134. RENEWAL. A person who is licensed by  
29 the board but whose occupation is not otherwise licensed by

1 state law shall annually renew his license by paying a fee  
2 in the same amount as the application fee. All fees are  
3 due before February 1 of each year.

4 \* Sec. 10. AS 08.20.070 is amended to read:

5 Sec. 08.20.070. SECRETARY. The secretary is the exe-  
6 cutive officer of the board. [HE SHALL FILE A BOND, APPROV-  
7 ED BY THE ATTORNEY GENERAL, CONDITIONED UPON THE FAITHFUL  
8 PERFORMANCE OF HIS DUTIES.]

9 \* Sec. 11. AS 08.20.080 is repealed and re-enacted to read:

10 Sec. 08.20.080. RECORDS. The board shall keep a  
11 record of its proceedings.

12 \* Sec. 12. AS 08.20.190 is amended to read:

13 Sec. 08.20.190. DEPOSIT [DISPOSITION] OF FUNDS [FEES].  
14 All money [FEES] collected under this chapter [BY THE BOARD]  
15 shall be paid into the general fund [OF THE STATE].

16 \* Sec. 13. AS 08.20 is amended by adding a new section to  
17 read:

18 Sec. 08.20.175. RENEWAL. Each person licensed by the  
19 board shall renew his license annually. All fees are due  
20 before February 1 of each year.

21 \* Sec. 14. AS 08.20.180 is amended by adding a new paragraph  
22 to read:

23 (4) for annual renewal of a license, \$50.

24 \* Sec. 15. AS 08.28.200 is amended to read:

25 Sec. 08.28.200. LICENSE YEAR. A license is valid for  
26 one year. The renewal fee is due and payable before  
27 February [JULY] 1 of each year. Delinquent renewal fees  
28 bear a penalty of \$2.

29 \* Sec. 16. AS 08.32.070 is amended to read:

1           Sec. 08.32.070. REGISTRATION AND LICENSING OF DENTAL  
2 HYGIENISTS. If the applicant passes the examination, the  
3 board shall register him and issue a certificate. The fee  
4 for registration is \$10. Before February [MAY] 1 in each  
5 year, every registered dental hygienist shall pay a regis-  
6 tration fee of \$10.

7 \* Sec. 17. AS 08.36.090 is repealed and re-enacted to read:  
8           Sec. 08.36.090. RECORDS. The board shall keep a  
9 record of its proceedings.

10 \* Sec. 18. AS 08.36.250 is repealed and re-enacted to read:  
11           Sec. 08.36.250. ANNUAL REGISTRATION. Each licensee  
12 shall, before February 1 of each year, register with the  
13 board. Each licensee shall keep his registration certifi-  
14 cate beside or attached to his license.

15 \* Sec. 19. AS 08.36.290 is amended to read:  
16           Sec. 08.36.290. FEES AND PENALTIES. The [BOARD SHALL  
17 IMPOSE AND COLLECT THE] following fees and penalties are  
18 imposed:

- 19                   (1) for the issuance of an original license, \$15;  
20                   (2) for examination of an applicant, \$25;  
21                   (3) for re-examination of an applicant, \$10 for  
22 each section or part of a section on which re-examined;  
23                   (4) for annual registration, \$10;  
24                   (5) for each branch office registration, \$10;  
25                   (6) for a temporary permit, \$25;  
26                   (7) for failure to pay the annual registration  
27 fee by July 1 of the year for which due, a penalty of \$10;  
28                   (8) for reinstatement [RE-INSTATEMENT] as pro-  
29 vided in sec. 230 of this chapter a penalty of \$25.

- 1 \* Sec. 20. AS 08.36.300 is repealed and re-enacted to read:  
2           Sec. 08.36.300. DEPOSIT OF FUNDS. All money collected  
3           under this chapter shall be paid into the general fund.
- 4 \* Sec. 21. AS 08.48.070(b) is amended to read:  
5           (b) The board shall appoint a secretary who may or  
6           may not be a member of the board but who possesses the  
7           qualifications required for members of the board. The  
8           secretary holds office at the pleasure of the board. [THE  
9           SECRETARY SHALL KEEP ON FILE A RECORD OF ALL CERTIFICATES  
10          OF REGISTRATION ISSUED, AND SHALL COLLECT AND ACCOUNT FOR  
11          ALL FEES.] He shall perform [OTHER] duties assigned by the  
12          board.
- 13 \* Sec. 22. AS 08.48.120 is repealed and re-enacted to read:  
14          Sec. 08.48.120. DEPOSIT OF FUNDS. All money collected  
15          under this chapter shall be paid into the general fund.
- 16 \* Sec. 23. AS 08.48.140 is repealed and re-enacted to read:  
17          Sec. 08.48.140. ANNUAL REPORT. Before February 2 of  
18          each year the board shall submit to the legislature a  
19          written report of its proceedings for the preceding year  
20          and shall file a copy of the report with the governor.
- 21 \* Sec. 24. AS 08.48.290 is repealed and re-enacted to read:  
22          Sec. 08.48.290. EXPIRATION OF CERTIFICATE. A certifi-  
23          cate of registration expires on January 31 following the  
24          date of issuance or renewal.
- 25 \* Sec. 25. AS 08.48.300 is amended to read:  
26          Sec. 08.48.300. RENEWAL OF CERTIFICATE. A certificate  
27          of registration may be renewed before February [JANUARY] 1  
28          of each year by the payment of a fee of \$10 [TO THE SECRE-  
29          TARY OF THE BOARD]. Failure of a registrant to renew his

1 certificate does not deprive him of the right of renewal  
2 but the fee for renewal after January [DECEMBER] 31 is in-  
3 creased 10 per cent for each month or fraction of a month  
4 that payment is delayed. The fee of \$10 a year shall be  
5 paid for each year or fraction thereof after the renewal  
6 has been delayed over one year, and in no case may the  
7 accrued fees for renewal exceed [THE SUM OF] \$20.

8 \* Sec. 26. AS 08.64.050 is amended to read:

9 Sec. 08.64.050. OATH OF OFFICE. Each member shall  
10 take an oath of office. The oath shall be filed and pre-  
11 served [IN THE OFFICE OF THE SECRETARY-TREASURER OF THE  
12 BOARD].

13 \* Sec. 27. AS 08.64.120 is repealed and re-enacted to read:

14 Sec. 08.64.120. DEPOSIT OF FUNDS. All money collected  
15 under this chapter shall be paid into the general fund.

16 \* Sec. 28. AS 08.64.130 is repealed and re-enacted to read:

17 Sec. 08.64.130. BOARD RECORDS. The board shall keep  
18 a record of its proceedings.

19 \* Sec. 29. AS 08.64.140 is repealed and re-enacted to read:

20 Sec. 08.64.140. ANNUAL REPORT TO GOVERNOR. The board  
21 shall annually report its proceedings to the governor.

22 \* Sec. 30. AS 08.64.310 is amended to read:

23 Sec. 08.64.310. ANNUAL LICENSE FEE. Before February  
24 1 [2] of each year each licensee shall pay a fee of \$10 [TO  
25 THE SECRETARY-TREASURER OF THE BOARD].

26 \* Sec. 31. AS 08.64.320 is repealed and re-enacted to read:

27 Sec. 08.64.320. DEPOSIT OF FUNDS. All money collected  
28 under this chapter shall be deposited in the general fund.

29 \* Sec. 32. AS 08.64.340 is amended to read:

1           Sec. 08.64.340. STATEMENT OF GROUNDS OF REFUSAL OR  
2 REVOCATION OF LICENSE. If the board refuses to issue a  
3 license or revokes a license, it shall file a brief and con-  
4 cise statement of the grounds and reasons for the action [IN  
5 THE OFFICE OF THE SECRETARY-TREASURER OF THE BOARD]. The  
6 statement, together with the written decision of the board,  
7 shall remain of record [IN THE OFFICE].

8 \* Sec. 33. AS 08.68.130 is repealed and re-enacted to read:

9           Sec. 08.68.130. DEPOSIT OF FUNDS. All money collected  
10 under this chapter shall be deposited in the general fund.

11 \* Sec. 34. AS 08.68.250 is repealed and re-enacted to read:

12           Sec. 08.68.250. RENEWAL OF LICENSE. (a) A practic-  
13 ing professional or practical nurse's license expires on  
14 January 31 of each year. A license may be renewed at any  
15 time within 60 days of the date it expires. If the renewal  
16 fee is not paid before 60 days after it expires, the license  
17 is renewable only after the payment of a reinstatement fee  
18 of \$5 and the acceptance by the board of an explanation for  
19 the delay.

20           (b) Renewal makes the holder a legal practitioner for  
21 the period of time the license is valid.

22           (c) A person practicing nursing with a lapsed license  
23 is an illegal practitioner and is subject to the penalties  
24 provided for violations of this chapter.

25 \* Sec. 35. AS 08.72.090 is amended to read:

26           Sec. 08.72.090. RECORD OF PROCEEDINGS. The secretary  
27 shall keep a record of all proceedings [, INCLUDING THE  
28 NAME OF EACH APPLICANT FOR EXAMINATION AND REGISTRATION].  
29 These records shall be open for public inspection.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

\* Sec. 36. AS 08.72.150 is amended to read:

Sec. 08.72.150. APPLICATION FOR AN ISSUANCE OF CERTIFICATE. An applicant shall apply by filing an application [WITH THE SECRETARY] together with the examination fee at least 15 days before the examination. Upon successful completion of the examination by the applicant and payment of the fee, the board shall issue a certificate of registration as a licensed optometrist to the applicant. After the applicant has properly filed his certificate of registration he may practice optometry in the state.

\* Sec. 37. AS 08.72.180 is repealed and re-enacted to read:

Sec. 08.72.180. ANNUAL RENEWAL. A certificate of registration expires on February 1 of each year, and may be renewed by paying the fee for registration renewal and supplying information the board requires.

\* Sec. 38. AS 08.72.230 is repealed and re-enacted to read:

Sec. 08.72.230. DEPOSIT OF FUNDS. All money collected under this chapter shall be paid into the general fund.

\* Sec. 39. AS 08.80.090 is repealed and re-enacted to read:

Sec. 08.80.090. DEPOSIT OF FUNDS. All money collected under this chapter shall be paid into the general fund.

\* Sec 40. AS 08.80.100 is amended to read:

Sec. 08.80.100. BOARD SECRETARY AS CERTIFYING OFFICER. The secretary of the board is the certifying officer and his signature is sufficient evidence to the Department of Administration of the validity of all claims for travel, per diem, salaries and other authorized expenses. [THE SECRETARY SHALL OBTAIN A SURETY BOND AS THE BOARD DIRECTS.]

\* Sec. 41. AS 08.80.190 is amended to read:

1           Sec. 08.80.190. RENEWAL FEE. A license to practice  
2 pharmacy shall be renewed annually, before February 1 [JUNE  
3 2] upon payment of a fee of \$5. If the license fee remains  
4 unpaid for a period of 90 days from the due date, the  
5 license shall be renewed after the payment of a penalty of  
6 \$10 in addition to the fee.

7 \* Sec. 42. AS 08.84.010 is repealed and re-enacted to read:

8           Sec. 08.84.010. POWERS AND DUTIES OF STATE MEDICAL  
9 BOARD. (a) The board shall adopt regulations to carry this  
10 chapter into effect.

11           (b) The board shall keep minutes of its meetings, and  
12 a stenographic record of its proceedings and hearings.

13 \* Sec. 43. AS 08.84.050 is amended to read:

14           Sec. 08.84.050. APPLICATION FEE. An applicant shall  
15 pay a fee of \$25 [TO THE BOARD] at the time of filing an  
16 application.

17 \* Sec. 44. AS 08.84.100 is repealed and re-enacted to read:

18           Sec. 08.84.100. RENEWAL OF REGISTRATION. A certifi-  
19 cate of registration expires on February 1 of each year,  
20 and may be renewed by paying the fee for registration re-  
21 newal. The board may renew an expired registration if the  
22 applicant pays unpaid renewal fees.

23 \* Sec. 45. AS 08.88.340 is repealed and re-enacted to read:

24           Sec. 08.88.340. DEPOSIT OF FUNDS. All money collected  
25 under this chapter shall be paid into the general fund.

26 \* Sec. 46. AS 08.88.370 is amended to read:

27           Sec. 08.88.370. DURATION, LAPSE, AND RENEWAL OF  
28 LICENSE. The license expires on February 1 of each year [IS  
29 VALID FOR A PERIOD OF ONE YEAR FROM THE DATE ISSUED]. The

1 fee for a license renewal is the same as for an original  
2 license. If a licensee becomes inactive, he is not entitled  
3 to a refund of the license fee for the balance of the license  
4 year. An inactive licensee may obtain an active license  
5 during the year in which he became inactive at no additional  
6 charge.

7 \* Sec. 47. AS 44.33.020(8) is amended to read:

8 (8) furnish the budgeting, clerical and adminis-  
9 trative services for regulatory agencies [AND PROFESSIONAL  
10 AND OCCUPATIONAL LICENSING BOARDS] not otherwise provided  
11 for.

12 \* Sec. 48. AS 44.33 is amended by adding a new section to  
13 art. 1 to read:

14 Sec. 44.33.022. ADMINISTRATIVE SERVICES FOR OCCUPA-  
15 TIONAL AND PROFESSIONAL BOARDS. (a) The Department of  
16 Commerce shall furnish administrative services, including  
17 renting space for holding examinations; proctoring examina-  
18 tions; printing examinations; printing and mailing licenses;  
19 sending notices, before December 1 of each year, that  
20 licenses must be renewed; collecting fees and issuing  
21 receipts; keeping a current register of licensees; employing  
22 secretarial assistants; replying to routine requests for  
23 information; printing forms and informational bulletins;  
24 typing all matter to be reproduced; maintaining records and  
25 completed examinations; and keeping records of receipts and  
26 disbursements, for

- 27 (1) the Board of Public Accountancy,  
28 (2) the Alaska Bar Association,  
29 (3) the Board of Barber Examiners,

- 1 (4) the Board of Examiners in the Basic Sciences,  
2 (5) the Board of Chiropractic Examiners,  
3 (6) the Board of Hairdressing and Beauty Culture  
4 Examiners,  
5 (7) the Board of Dental Examiners,  
6 (8) the Board of Electrical Examiners,  
7 (9) the Board of Engineers and Architects Exami-  
8 ners,  
9 (10) the State Medical Board,  
10 (11) the Board of Nursing,  
11 (12) the Board of Examiners in Optometry,  
12 (13) the Board of Pharmacy, and  
13 (14) the Real Estate Examining Board.

14 (b) The department may assign an administrative  
15 function to a board if it finds that the board can perform  
16 it more efficiently than the department.

17 (c) The department shall require a member or employee  
18 of a board who receives or authorizes payment of state money  
19 to execute a bond in favor of the state conditioned upon  
20 the faithful performance of his duties.

21 \* Sec. 49. The following laws are repealed: AS 08.08.080(5),  
22 08.28.060, 08.36.070(6), 08.48.130, 08.64.150, 08.68.120,  
23 08.72.100, and 08.80.040(5).  
24  
25  
26  
27  
28  
29