

Introduced: 2/14/72
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY BRADNER, FISCHER AND HUBER

2

HOUSE BILL NO. 629

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to layman representation on certain
7 professional boards."

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

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* Section 1. AS 08.04.020 is amended to read:

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Sec. 08.04.020. APPOINTMENT AND QUALIFICATIONS OF BOARD. The

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board consists of seven [FIVE] members appointed by the governor. Each

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member shall be a citizen of the United States and a resident of this

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state for at least one year. At least three members shall be certified

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public accountants, at least two [AND THE REMAINING] members shall be

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public accountants and at least one of the remaining members shall be

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a lay person known for his interest in civic matters. No accountant

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member [ONE] may be appointed who does not hold a current certificate

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or license issued under the laws of this state. No accountant member

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[ONE] may be appointed who is not eligible to receive permits under

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this chapter.

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* Sec. 2. AS 08.08.040 is amended to read:

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Sec. 08.08.040. BOARD OF GOVERNORS OF THE ALASKA BAR. (a) There

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is hereby constituted a Board of Governors of the Alaska Bar, nine

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members of whom are to be elected under rules promulgated by the board

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and two of whom are to be appointed by the governor.

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(b) The board consists of nine active practicing members elected

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by the active members of the Alaska Bar from the four judicial districts

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and two persons appointed by the governor, one of whom must be a lay

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person known for his interest in civic matters.

1 * Sec. 3. AS 08.08.050 is amended to read:

2 Sec. 08.08.050. SELECTION [ELECTION] OF THE BOARD. (a) Two
3 members of the board shall be elected by and from among the members of
4 the association resident in the first judicial district; four members
5 of the board shall be elected by and from among the members of the
6 association resident in the third judicial district; two members by
7 and from among the members of the association resident in the combined
8 area of the second and fourth judicial districts; [AND] one member at
9 large from the entire state; and two members appointed by the governor
10 from the entire state, one of whom must be a lay person known for his
11 interest in civic matters.

12 (b) Members of the Board of Governors shall hold office for three
13 years and until their successors are selected [ELECTED] and qualified.

14 (c) Three board members shall be elected annually, on the
15 following triennial rotation:

16 (1) in the first year, one member at large and two members
17 from the third judicial district;

18 (2) in the second year, one member from the combined area
19 of the second and fourth judicial districts, one member from the third
20 judicial district, and one member from the first judicial district; and

21 (3) in the third year, one member from the first judicial
22 district, one member from the combined area of the second and fourth
23 judicial districts, and one member from the third judicial district.

24 (d) Appointed members of the Board of Governors shall hold office
25 for three years from the date of their appointment and until their
26 successors are appointed and qualified.

27 * Sec. 4. AS 08.08.070 is amended to read:

28 Sec. 08.08.070. VACANCIES ON THE BOARD. Vacancies in elected
29 board membership shall be filled by appointment by the remaining board

1 at least five shall be qualified resident dentists [A QUALIFIED RESIDENT
2 DENTIST], who have [HAS] been engaged in the practice of dentistry in
3 the state for five years immediately preceding their [HIS] appointment.
4 At least one of the remaining two members shall be a lay person known
5 for his interest in civic matters.

6 * Sec. 13. AS 08.36.020 is amended to read:

7 Sec. 08.36.020. APPOINTMENT AND TERM OF SERVICE OF MEMBERS.
8 Members of the board are appointed by the governor, subject to con-
9 firmation by the legislature in joint session assembled. Each board
10 member serves for a term of five years, and until his successor is
11 appointed and qualified. The term begins on February 1. An appoint-
12 ment to a vacancy is for the unexpired term. Appointments of five
13 members shall be made from a list of names recommended by the Alaska
14 Dental Society. The list shall be supplied at least 30 days before
15 the beginning of a term and not more than 60 days after the occurrence
16 of a vacancy. The list shall contain at least two recommended names
17 for each appointment. The governor shall make the appointment within
18 30 days after receiving the list. Selection and appointment of the
19 remaining two members is the responsibility of the governor.

20 * Sec. 14. AS 08.40.010 is amended to read:

21 Sec. 08.40.010. CREATION AND MEMBERSHIP OF BOARD. There is
22 hereby created a Board of Electrical Examiners consisting of five
23 [THREE] members, at least three of whom [WHO] are licensed electrical
24 contractors and at least one of whom is a lay person known for his
25 interest in civic matters.

26 * Sec. 15. AS 08.40.040 is amended to read:

27 Sec. 08.40.040. BOARD MEETINGS. The board shall hold a regular
28 annual meeting. The board may hold special meetings at the call of
29 the chairman with prior approval of the governor. A majority of the

1 [TWO] members constitute a quorum.

2 * Sec. 16. AS 08.48.010 is amended to read:

3 Sec. 08.48.010. CREATION AND MEMBERSHIP OF BOARD OF EXAMINERS.

4 There is created a Board of Engineers and Architects Examiners con-
5 sisting of 11 [NINE] members appointed by the governor. The board
6 consists of at least three civil engineers, one of whom is knowledgeable
7 in land surveying, one mining engineer, at least two engineers from
8 other branches of the profession of engineering, and at least three
9 architects. Of the remaining two members at least one shall be a lay
10 person known for his interest in civic matters.

11 * Sec. 17. AS 08.48.030 is amended to read:

12 Sec. 08.48.030. QUALIFICATIONS OF MEMBERS. Each professional
13 member of the board shall be a professional engineer or architect of
14 at least five years active experience and of recognized good standing
15 in his profession and a resident of the state for at least two years
16 immediately preceding his appointment. Each professional member
17 shall be a registered professional engineer or architect. Each non-
18 professional member shall have been a resident of the state for at
19 least two years immediately preceding his appointment.

20 * Sec. 18. AS 08.64.010 is amended to read:

21 Sec. 08.64.010. CREATION AND MEMBERSHIP OF STATE MEDICAL BOARD.

22 The governor shall appoint a board of medical examiners, to be known
23 as the State Medical Board, consisting of at least five licensed
24 physicians, residing in as many separate Alaska judicial districts
25 as possible and two members at large, at least one of whom must be a
26 lay person known for his interest in civic matters. Five members
27 [EACH MEMBER] shall be chosen from a panel of three, for each vacancy,
28 submitted to the governor by the Alaska State Medical Association.
29 Selection and appointment of the remaining two members is the

1 responsibility of the governor.

2 * Sec. 19. AS 08.64.090 is amended to read:

3 Sec. 08.64.090. QUORUM. A majority of the [THREE] members of
4 the board constitute a quorum for the transaction of all business
5 properly before the board.

6 * Sec. 20. AS 08.68.010 is amended to read:

7 Sec. 08.68.010. CREATION AND MEMBERSHIP OF BOARD OF NURSING.
8 There is created a Board of Nursing, consisting of seven [FIVE]
9 members appointed by the governor. One member shall be from North-
10 western Alaska, one from Central [CENTAL] Alaska, one from South
11 Central Alaska, one from Southeastern Alaska, and three [ONE] at large.

12 * Sec. 21. AS 08.68.040 is amended to read:

13 Sec. 08.68.040. SOURCE OF APPOINTMENTS. The governor shall
14 appoint five board members from a list of qualified nurses prepared
15 by the Alaska Nurses' Association and submitted at least 30 days
16 before the expiration of a term and not more than 60 days after a
17 vacancy occurs in an unexpired term. The list shall contain not less
18 than two recommended candidates for each appointment. The governor
19 shall make appointments within 30 days after receiving the list.
20 Selection and appointment of the remaining two members is the responsi-
21 bility of the governor. At least one of the remaining two board members
22 must be a lay person known for his interest in civic matters.

23 * Sec. 22. AS 08.68.060 is amended to read:

24 Sec. 08.68.060. QUALIFICATIONS OF BOARD MEMBERS. Each member
25 of the board shall be a citizen of the United States, a resident of the
26 state, and at least five shall be [A] licensed professional nurses
27 [NURSE] in the state. At least five members [MEMBERS] shall have
28 actively engaged in nursing for not less than four years before appoint-
29 ment, two years of which were within the five years preceding

1 appointment.

2 * Sec. 23. AS 08.72.020 is amended to read:

3 Sec. 08.72.020. MEMBERSHIP OF BOARD AND TERMS OF OFFICE. The
4 board consists of five [THREE] persons, appointed by the governor. The
5 term of each member is three years. One member only is appointed each
6 year, except when vacancies for unexpired terms are filled.

7 * Sec. 24. AS 08.72.040 is amended to read:

8 Sec. 08.72.040. QUALIFICATIONS. At least three [A] board members
9 [MEMBER] shall be [A] licensed, practicing optometrist residing in the
10 state who have [HAS] been [A] residents [RESIDENT] for at least three
11 years. Of the remaining two members, at least one shall be a lay
12 person known for his interest in civic matters.

13 * Sec. 25. AS 08.72 is amended by adding a new section to read:

14 Sec. 08.72.045. QUORUM. A majority of the members of the board
15 constitute a quorum for the transaction of all business properly
16 before the board.

17 * Sec. 26. AS 08.80.010 is amended to read:

18 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.
19 There is created the Board of Pharmacy, composed of seven [FIVE]
20 members, at least five [EACH] of whom shall be a pharmacist licensed
21 in the state who has been actively engaged in the practice of pharmacy
22 in the state for a period of three years immediately preceding his
23 appointment. Whenever possible, the board shall include at least one
24 member from each judicial district. At least one of the remaining
25 two members shall be a lay person known for his interest in civic
26 matters.

27 * Sec. 27. AS 08.80.070 is repealed and re-enacted to read:

28 Sec. 08.80.070. QUORUM. A majority of the members of the board
29 constitute a quorum for the transaction of all business properly before

1 the board.

2 * Sec. 28. AS 08.86.010 is amended to read:

3 Sec. 08.86.010. CREATION AND MEMBERSHIP OF BOARD. There is
4 created a Board of Psychologist Examiners. It consists of at least
5 three licensed psychologists and two additional members at least one
6 of whom must be a lay person known for his interest in civic matters.

7 * Sec. 29. AS 08.86 is amended by adding a new section to read:

8 Sec. 08.86.045. QUORUM. A majority of the members of the board
9 constitute a quorum for the transaction of all business properly
10 before the board.

11 * Sec. 30. AS 08.88.011 is amended to read:

12 Sec. 08.88.011. CREATION AND MEMBERSHIP OF COMMISSION. There
13 is created a Real Estate Commission. It consists of seven [FIVE]
14 members.

15 * Sec. 31. AS 08.88.041 is repealed and re-enacted to read:

16 Sec. 08.88.041. QUALIFICATIONS OF COMMISSION MEMBERS. Members
17 of the commission must be at least 26 years of age and residents
18 of the state for the five years immediately preceding their appoint-
19 ments. At least five members of the commission must have been
20 licensed under this chapter for the five years immediately preceding
21 their appointments. At least one of the remaining two members must
22 be a lay person known for his interest in civic matters. One member
23 of the commission shall be from the first judicial district, one
24 shall be from either the second or fourth judicial district, one shall
25 be from the third judicial district and four shall be from the state
26 at large.

27 * Sec. 32. AS 08.88.051(b) is amended to read:

28 (b) At least two judicial districts shall be represented and at
29 least four [THREE] commission members shall be present in order to

1 conduct business.

2 * Sec. 33. AS 08.98.010 is amended to read:

3 Sec. 08.98.010. CREATION AND MEMBERSHIP OF BOARD. There is a
4 Board of Veterinary Examiners. It consists of at least three licensed
5 veterinarians and two additional members one of whom must be a lay
6 person known for his interest in civic matters.

7 * Sec. 34. AS 08.98 is amended by adding a new section to read:

8 Sec. 08.98.045. QUORUM. A majority of the members of the board
9 constitute a quorum for the transaction of all business properly
10 before the board.

11 * Sec. 35. AS 08.99.010 is amended to read:

12 Sec. 08.99.010. CREATION AND MEMBERSHIP OF BOARD. There is
13 created the Board of Welding Examiners, consisting of nine [SEVEN]
14 members appointed by the governor.

15 * Sec. 36. AS 08.99.030 is amended to read:

16 Sec. 08.99.030. SOURCE OF APPOINTMENTS. The governor shall
17 appoint seven board members from a list of persons prepared by the
18 Alaska Chapter of the American Welding Society and the Alaska Society
19 of Professional Engineers and submitted at least 30 days before the
20 expiration of a term and not more than 60 days after a vacancy occurs
21 in an unexpired term. The list shall contain not less than two
22 recommended candidates for each appointment. The governor shall
23 make appointments within 30 days after receiving the list. Selection
24 and appointment of the remaining two members of the board is the
25 responsibility of the governor.

26 * Sec. 37. AS 08.99.050 is amended to read:

27 Sec. 08.99.050. QUALIFICATIONS OF BOARD MEMBERS. Each member
28 of the board shall be a citizen of the United States and a resident
29 of the state. At least three members shall be persons with engineering

1 degrees or registration as an engineer and each engineer member shall
2 have at least five years engineering experience. At least seven
3 [ALL] members shall have extensive experience in welding. At least
4 one of the remaining two members shall be a lay person who is known
5 for his interest in civic matters.

6 * Sec. 38. AS 08 is amended by adding a new chapter to read:

7 CHAPTER 100. GENERAL PROVISIONS.

8 Sec. 08.100.010. DEFINITIONS. As used in this title "lay person"
9 means a person not licensed or trained in the discipline for which he
10 is appointed to serve as a board or commission member.

11 * Sec. 39. The terms of existing members of boards and commissions under
12 this chapter are not affected by the provisions of this Act.

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