

Introduced: 4/9/76
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

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SENATE BILL NO. 738

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to the termination, continuation and
7 reestablishment of certain boards and commissions."

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

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* Section 1. The legislature finds that state government has produced an
10 inexorable increase in the number of agencies, growth of programs, and pro-
11 liferation of rules and regulations, and that the whole process developed
12 without legislative oversight, regulatory accountability, or a system of
13 checks and balances. The legislature further finds that by establishing a
14 system for the termination, continuation, or reestablishment of such agencies
15 it will be in a better position to evaluate the need for the continued exis-
16 tence of existing and future regulatory bodies.

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* Sec. 2. AS 08 is amended by adding a new chapter to read:

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CHAPTER 03. TERMINATION, CONTINUATION, REESTABLISHMENT.

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Sec. 08.03.010. TERMINATION, CONTINUATION AND REESTABLISHMENT OF
REGULATORY BOARDS AND COMMISSIONS. (a) Boards and commissions listed
21 in this section expire on the following dates:

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(1) Board of Chiropractic Examiners (AS 08.20.010) - July 1,
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(2) Board of Dental Examiners (AS 08.36.010) - July 1, 1977

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(3) State Medical Board (AS 08.64.010) - July 1, 1977

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(4) Board of Nursing (AS 08.68.010) - July 1, 1977

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(5) Board of Dispensing Opticians (AS 08.71.010) - July 1,

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1977

(6) Board of Examiners in Optometry (AS 08.72.010) - July 1,

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1 1977

2 (7) Board of Pharmacy (AS 08.80.010) - July 1, 1977

3 (8) Board of Psychologist and Psychological Associate
4 Examiners (AS 08.86.010) - July 1, 1977

5 (9) Board of Veterinary Examiners (AS 08.98.010) - July 1,
6 1977

7 (10) Board of Nursing Home Administrators (AS 08.70.010) -
8 July 1, 1977

9 (11) Physical Therapy Board (AS 08.84.010) - July 1, 1977

10 (12) Alaska State Board of Public Accountancy (AS 08.04.010) -
11 July 1, 1978

12 (13) Board of Governors of the Alaska Bar (AS 08.08.040) -
13 July 1, 1978

14 (14) Board of Barber Examiners (AS 08.12.010) - July 1, 1978

15 (15) Collection Agency Board (AS 08.24.011) - July 1, 1978

16 (16) Board of Hairdressing and Beauty Culture Examiners
17 (AS 08.28.010) - July 1, 1978

18 (17) Board of Electrical Examiners (AS 08.40.010) - July 1,
19 1978

20 (18) State Board of Registration for Architects, Engineers
and Land Surveyors (AS 08.48.011) - July 1, 1978

21 (19) Guide Licensing and Control Board (AS 08.54.010) - July 1,
22 1978

23 (20) Board of Marine Pilots (AS 08.62.010) - July 1, 1978

24 (21) Real Estate Commission (AS 08.88.011) - July 1, 1978

25 (22) Board of Welding Examiners (AS 08.99.010) - July 1, 1978

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27 (b) Upon termination, each board or commission shall continue in
28 existence until July 1 of the next succeeding year for the purpose of
29 winding up its affairs. Termination shall not reduce or otherwise limit

1 the powers or authority of each respective agency. Upon the expiration
2 of the one year after termination, each board or commission shall cease
3 all activities.

4 (c) The life of a board or commission scheduled for termination
5 under this section may be continued or reestablished by the legislature
6 for periods not to exceed six years. A newly created regulatory board
7 or commission shall have a life not to exceed six years and shall be
8 subject to the provisions of this section.

9 (d) Before the termination, continuation, or reestablishment of a
10 board or commission, the legislature shall hold a public hearing, re-
11 ceiving testimony from the public, the director of the division of
12 occupational licensing, and the board or commission involved. The legi-
13 slature shall also consider the fiscal and economic impact of the
14 commission or board. In such a hearing the board or commission shall
15 have the burden of proving a public need for its continued existence.

16 (e) No more than one board or commission shall be continued or
17 reestablished in any legislative bill, and the board or commission shall
18 be mentioned in the bill's title.

19 (f) This section shall not cause the termination or dismissal of a
20 claim or right of a citizen against an agency or a claim or right of an
21 agency terminated under this section which is subject to litigation.
22 Those claims and rights shall be assumed by the Department of Commerce
23 and Economic Development.

24 * Sec. 3. AS 08.04 is amended by adding a new section to read:

25 Sec. 08.04.685. BOARD SUBJECT TO TERMINATION. The provisions of
26 AS 08.03.010 are applicable to the Alaska State Board of Public Ac-
27 countancy.

28 * Sec. 4. AS 08.08 is amended by adding a new section to read:

29 Sec. 08.08.247. BOARD SUBJECT TO TERMINATION. The provisions of

1 AS 08.03.010 are applicable to the Board of Governors of the Alaska Bar.

2 * Sec. 5. AS 08.12 is amended by adding a new section to read:

3 Sec. 08.12.290. BOARD SUBJECT TO TERMINATION. The provisions of
4 AS 08.03.010 are applicable to the Board of Barber Examiners.

5 * Sec. 6. AS 08.20 is amended by adding a new section to read:

6 Sec. 08.20.230. BOARD SUBJECT TO TERMINATION. The provisions of
7 AS 08.03.010 are applicable to the Board of Chiropractic Examiners.

8 * Sec. 7. AS 08.24 is amended by adding a new section to read:

9 Sec. 08.24.390. BOARD SUBJECT TO TERMINATION. The provisions of
10 AS 08.03.010 are applicable to the Collection Agency Board.

11 * Sec. 8. AS 08.28 is amended by adding a new section to read:

12 Sec. 08.28.330. BOARD SUBJECT TO TERMINATION. The provisions of
13 AS 08.03.010 are applicable to the Board of Hairdressing and Beauty
14 Culture Examiners.

15 * Sec. 9. AS 08.36 is amended by adding a new section to read:

16 Sec. 08.36.370. BOARD SUBJECT TO TERMINATION. The provisions of
17 AS 08.03.010 are applicable to the Board of Dental Examiners.

18 * Sec. 10. AS 08.40 is amended by adding a new section to read:

19 Sec. 08.40.210. BOARD SUBJECT TO TERMINATION. The provisions of
20 AS 08.03.010 are applicable to the Board of Electrical Examiners.

21 * Sec. 11. AS 08.48 is amended by adding a new section to read:

22 Sec. 08.48.340. BOARD SUBJECT TO TERMINATION. The provisions of
23 AS 08.03.010 are applicable to the State Board of Registration for
24 Architects, Engineers and Land Surveyors.

25 * Sec. 12. AS 08.54 is amended by adding a new section to read:

26 Sec. 08.54.250. BOARD SUBJECT TO TERMINATION. The provisions of
27 AS 08.03.010 are applicable to the Guide Licensing and Control Board.

28 * Sec. 13. AS 08.62 is amended by adding a new section to read:

29 Sec. 08.62.210. BOARD SUBJECT TO TERMINATION. The provisions of

- 1 AS 08.03.010 are applicable to the Board of Marine Pilots.
- 2 * Sec. 14. AS 08.64 is amended by adding a new section to read:
- 3 Sec. 08.64.390. BOARD SUBJECT TO TERMINATION. The provisions of
- 4 AS 08.03.010 are applicable to the State Medical Board.
- 5 * Sec. 15. AS 08.68 is amended by adding a new section to read:
- 6 Sec. 08.68.420. BOARD SUBJECT TO TERMINATION. The provisions of
- 7 AS 08.03.010 are applicable to the Board of Nursing.
- 8 * Sec. 16. AS 08.70 is amended by adding a new section to read:
- 9 Sec. 08.70.200. BOARD SUBJECT TO TERMINATION. The provisions of
- 10 AS 08.03.010 are applicable to the Board of Nursing Home Administrators.
- 11 * Sec. 17. AS 08.71 is amended by adding a new section to read:
- 12 Sec. 08.71.250. BOARD SUBJECT TO TERMINATION. The provisions of
- 13 AS 08.03.010 are applicable to the Board of Dispensing Opticians.
- 14 * Sec. 18. AS 08.72 is amended by adding a new section to read:
- 15 Sec. 08.72.305. BOARD SUBJECT TO TERMINATION. The provisions of
- 16 AS 08.03.010 are applicable to the Board of Examiners in Optometry.
- 17 * Sec. 19. AS 08.80 is amended by adding a new section to read:
- 18 Sec. 08.80.490. BOARD SUBJECT TO TERMINATION. The provisions of
- 19 AS 08.03.010 are applicable to the Board of Pharmacy.
- 20 * Sec. 20. AS 08.84 is amended by adding a new section to read:
- 21 Sec. 08.84.195. BOARD SUBJECT TO TERMINATION. The provisions of
- 22 AS 08.03.010 are applicable to the Physical Therapy Board.
- 23 * Sec. 21. AS 08.86 is amended by adding a new section to read:
- 24 Sec. 08.86.240. BOARD SUBJECT TO TERMINATION. The provisions of
- 25 AS 08.03.010 are applicable to the Board of Psychologist and Psycholo-
- 26 gical Associate Examiners.
- 27 * Sec. 22. AS 08.88 is amended by adding a new section to read:
- 28 Sec. 08.88.441. BOARD SUBJECT TO TERMINATION. The provisions of
- 29 AS 08.03.010 are applicable to the Real Estate Commission.

1 * Sec. 23. AS 08.98 is amended by adding a new section to read:

2 Sec. 08.98.260. BOARD SUBJECT TO TERMINATION. The provisions of
3 AS 08.03.010 are applicable to the Board of Veterinary Examiners.

4 * Sec. 24. AS 08.99 is amended by adding a new section to read:

5 Sec. 08.99.130. BOARD SUBJECT TO TERMINATION. The provisions of
6 AS 08.03.010 are applicable to the Board of Welding Examiners.

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