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STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

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The Honorable Don Bennett  
President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that makes a number of relatively minor changes to AS 08 and AS 44.19 concerning various boards, commissions, and councils. The most important change made by the bill is making uniform the length and limitations of terms for all occupational licensing boards and commissions in AS 08. This will not only increase the efficiency of the appointment process but, more importantly, will also improve the access of the public to service on the boards.

The bill also includes a variety of other changes to the statutes governing particular boards and occupations to eliminate problems, ambiguities, conflicts, and outdated cross references. These changes have been requested by the particular boards, commissions, or councils themselves, by the attorney general's office, by the division of occupational licensing in the Department of Commerce and Economic Development, or by the division of governmental coordination in the Office of Management and Budget. They are explained briefly in the following section-by-section outline.

I urge favorable consideration of this bill to improve the effectiveness and the efficiency of our boards, commissions, and councils, and of our occupational licensing system.

SECTION-BY-SECTION OUTLINE

Section 1 of the bill adds to the listing of boards in AS 08.01.010 occupations for which licensing is required, but for which there is no board.

Sections 2, 3, 8, 27, 28, 29, and most of the repeals in

sec. 36, all make uniform the length of and limits upon terms of members of the various occupational licensing boards.

Sections 4 and 5 of the bill amend AS 08.01.050 and 08.01.070 to clarify the respective administrative duties of the Department of Commerce and Economic Development and the occupational licensing boards.

Section 6 of the bill makes several amendments to AS 08.01.100 concerning renewal, lapse and reinstatement of occupational licenses. First, it deletes the word "biennial," regarding renewals, in AS 08.01.100(a). Second, it amends AS 08.01.100(b) to give the Department of Commerce and Economic Development authority to set the late renewal penalty fee by regulation after consultation with the appropriate board. That penalty fee is currently set, by statute, at only \$10. The same amendment to AS 08.01.100(b) is included in sec. 3 of HB 78, also introduced at my request.

The third change made to AS 08.01.100 by sec. 6 of this bill is the addition of a new subsec. (c) to require that any applicable continuing education requirements must be satisfied before a license may be renewed.

Section 7 of the bill adds three new sections to AS 08.01 authorizing the Department of Commerce and Economic Development to issue citations for unlicensed practice of professions for which a license is required. These provisions are nearly identical to those added by sec. 5 of HB 151, concerning construction contractors, which was also recently introduced at my request.

Section 9 of the bill adds a new subsection to AS 08.20.130 to authorize the Board of Chiropractic Examiners to appoint a committee to administer examinations in much the same way as does the Board of Dental Examiners under AS 08.36.130.

Section 10 of the bill amends AS 08.20.160 to tighten the issuance of temporary chiropractor licenses to only those who actually meet certain statutory qualifications, not to those who are merely "apparently" qualified.

Section 11 of the bill amends AS 08.24.090(b) by adding an exemption from collection agency license requirements for process servers appointed by Alaska courts.

Section 12 of the bill amends AS 08.40.070 to change the

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Board of Electrical Examiners' inspection authority to include work by unlicensed persons, not just those who are licensed.

Section 13 of the bill amends AS 08.40.130 to require that electrical administrators must actively supervise work for which they act as an administrator and to require that administrators notify the Department of Commerce and Economic Development when they change their contractor affiliation.

Section 14 of the bill amends AS 08.40.190 to add an explicit exclusion for the state from the application of AS 08.40. The state is currently implicitly excluded according to two attorney general's informal opinions, 1983 Inf. Op. Att'y. Gen. (Dec. 20); 166-249-84 and 1979 Inf. Op. Att'y. Gen. (June 27); A66-510-79.

Section 15 of the bill amends AS 08.48.331 to add communications, telecommunications, or broadcast engineers to those who are listed as exempt from AS 08.48. These categories of engineers have always been assumed to be exempt, but recently some questions have been raised. Inclusion in the listing under AS 08.48.331 will make specific that exemption.

Section 16 amends AS 08.62.040(a) by adding a paragraph to clarify the power of the Board of Marine Pilots to adopt pilotage fees. The language of a 1980 amendment to this subsection was unintentionally ambiguous in this regard.

Sections 17, 18, 21, and 24 of the bill amend four sections in AS 08.64, concerning the Medical Board, to delete cross-references to AS 08.64.200(1), a residency requirement that was repealed in 1983.

Sections 19, 20, 22, 23, and 25 of the bill amend five sections of AS 08.64 concerning medical licensing. Section 19 changes the shortest allowable deadline for application to take the medical license exam from 40 to 120 days before the exam. This corresponds to the deadline set by the Medical Board in 12 AAC 40.015. Section 20 deletes mention of an oral exam in AS 08.64.220(a) because only a written exam is given. Section 22 amends AS 08.64.255 to require an interview for all applicants for licensure, not just applicants for licensure by endorsement. Section 23 deletes AS 08.64.260(b), (c), and (d) concerning retaking parts of the exam, to conform with a recent change in the format of exam by the National Federation of State Medical Boards, Inc. Finally, sec. 25

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of the bill clarifies that licenses issued by the medical board must be renewed every four years.

Section 26 of the bill amends AS 08.70.040 to change the required frequency of meetings of the Board of Nursing Home Administration from twice a year to as often as necessary.

Sections 30 -- 33 of the bill amend statutes in AS 08.98 concerning the Board of Veterinary Examiners to clarify and tighten the requirements for licenses and temporary permits.

Sections 34 and 35 of the bill amend AS 44.19 155(a) and (d) to enlarge the pool of eligible members on the Coastal Policy Council from just municipal mayors and assembly or council members, nominated by municipalities, to include other residents of a region who are nominated by coastal resource service area boards. This removal of unnecessary restrictions on council membership will improve the access of the public to serve on the council, and will provide better representation of regions in the unorganized borough.

Section 36 of the bill repeals a number of provisions in AS 08, most of which are specific provisions concerning the terms of office of members of particular boards, commissions, and councils which are no longer necessary or appropriate because of the new uniform provisions, enacted by secs. 1 -- 3 of the bill, for all boards, commissions, and councils authorized under AS 08. For your convenience in considering these repeals, they are listed, below along with the board or profession they affect:

- AS 08.04.040 -- Board of Public Accountancy
- AS 08.13.020 -- Board of Barbers and Hairdressers
- AS 08.20.025  
and 030 -- Board of Chiropractors
- AS 08.36.020  
and 025 -- Board of Dental Examiners
- AS 08.40.020 -- Board of Electrical Examiners
- AS 08.48.021 -- Board of Architects, Engineers,  
and 041 and Land Surveyors
- AS 08.54.020 -- Guide Licensing and Control Board
- AS 08.62.020 -- Board of Marine Pilots
- AS 08.64.020  
and 040 -- Medical Board

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- AS 08.68.020  
030, & 050 -- Board of Nursing
- AS 08.70.020 (b)  
and (c) -- Board of Nursing Home Admini-  
strators
- AS 08.71.045 -- Board of Dispensing Opticians
- AS 08.72.020  
025, & 030 -- Board of Examiners in Optometry
- AS 08.80.020  
and 105 -- Board of Pharmacy
- AS 08.86.020  
and 025 -- Board of Psychologist and Psycho-  
logical Associates Examiners
- AS 08.88.021 -- Real Estate Commission
- AS 08.98.020  
and 025 -- Board of Veterinary Examiners

The remaining repeals contained in sec. 36 are

(1) of AS 8.40.190(b)(7), an exemption of low voltage work from the electrical administrator license requirements, which the Board of Electrical Examiners has determined is no longer appropriate;

(2) of AS 08.54.142, 08.54.144, 08.54.146, 08.54.170(c), and 08.54.240(5) requiring a separate license for transporting big game and hunters. The division of occupational licensing in the Department of Commerce and Economic Development, the Guide Licensing and Control Board, the division of game in the Department of Fish and Game, and the division fish and wildlife protection in the Department of Public Safety, all agree that the transporting license is unnecessary and redundant;

(3) of AS 08.64.370(5), an exemption from the medical licensing requirements for residents and interns which the Medical Board has determined is in conflict with AS 08.64.272, providing for temporary permits for the same persons and for students; and

(4) of AS 08.84.065(d), concerning temporary permits for foreign trained physical therapists, to eliminate the different treatment of these applicants from others.

Section 35 of the bill is a transition provision that states that no provision of the bill is intended to affect the unexpired term of a current board, commission, or council member.

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Please join with all of the affected boards, commissions, and councils in this effort to improve the efficiency and effectiveness of their operation and to streamline their statutes.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield". The signature is written in dark ink and is positioned above the typed name.

Bill Sheffield  
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: SB 195  
 Title: An Act making miscellaneous amendments to Boards, Commissions & Councils  
 Sponsor: Rules Committee  
 Requestor: Governor  
 Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.  
 Program Category Affected: Consumer Protection Councils  
 BRU, Program or Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>						
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<b>REVENUE</b>		-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The bill will standardize limitations and terms of office for board members from the various individual board statutes to a central licensing statute under AS 08.01 (Centralized Licensing Act). The bill is also intended to eliminate the fragmentation in the different board statutes and to revise language which have caused conflicts, problems and ambiguities.

Prepared By: Jennifer Strickler, Management Analyst Phone: 465-2144

Division: Occupational Licensing Date: February 13, 1985

Approved by Commissioner: Loren H. Lounsbury Date: 2/14/85

Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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7/1/84