

SB

501

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SB 501
PUBLISH DATE: 4/8/88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Economic Dev.
Title: An Act placing the Exec. Officer BRU: Occupational Licensing
of the State Medical Board in partially exempt service
Sponsor: Senate HESS Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		0	0	0	0	0
TRAVEL		0	0	0	0	0
CONTRACTUAL		0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		0	0	0	0	0

CAPITAL		0	0	0	0	0
---------	--	---	---	---	---	---

REVENUE		0	0	0	0	0
---------	--	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Funding for this position is included in the department's FY 89 operating budget request.

Prepared by: Jennifer Strickler, Management Analyst Phone: 465-2144
Division: Occupational Licensing Date: 4/13/88

Approved by Commissioner: J. Anthony Smith *Kathy Marshall for* Date: 4/15/88
Agency: Commerce and Economic Development

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 501

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act placing the principal executive officer of
7 the State Medical Board in the partially exempt
8 service."

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

10 * Section 1. AS 39.25.120(c)(9) is amended to read:

11 (9) the principal executive officer of the following
12 boards, councils, or commissions:

- 13 (A) Alaska Public Broadcasting Commission;
14 (B) Professional Teaching Practices Commission;
15 (C) Parole Board;
16 (D) Board of Nursing;
17 (E) Real Estate Commission;
18 (F) Alaska Royalty Oil and Gas Development Advisory
19 Board;
20 (G) Alaska Historical Commission;
21 (H) Alaska State Council on the Arts;
22 (I) Alaska Police Standards Council;
23 (J) [REPEALED
24 (K)] Older Alaskans Commission;
25 (K) [(L)] Alaska Mental Health Board;
26 (L) State Medical Board;

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 501

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act placing the principal executive officer of
7 the State Medical Board in the partially exempt
8 service."

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

10 * Section 1. AS 39.25.120(c)(9) is amended to read:

11 (9) the principal executive officer of the following
12 boards, councils, or commissions:

- 13 (A) Alaska Public Broadcasting Commission;
14 (B) Professional Teaching Practices Commission;
15 (C) Parole Board;
16 (D) Board of Nursing;
17 (E) Real Estate Commission;
18 (F) Alaska Royalty Oil and Gas Development Advisory
19 Board;
20 (G) Alaska Historical Commission;
21 (H) Alaska State Council on the Arts;
22 (I) Alaska Police Standards Council;
23 (J) [REPEALED
24 (K)] Older Alaskans Commission;
25 (K) [(L)] Alaska Mental Health Board;
26 (L) State Medical Board;

ALASKA STATE MEDICAL BOARD

Pouch D
Juneau, Alaska 99811

RECEIVED APR 18 1988

April 15, 1988

Honorable Rick Halford
PO Box V
Juneau, Alaska 99811

Dear Senator Halford:

The State Medical Board would like to urge your support of SB 501 which would place the board's Executive Secretary in the partially exempt service.

It was assumed at the time of the passage of HB 70 creating the executive secretary position last year that it was a partially exempt one and such was reflected in the fiscal note. Unfortunately the specific language wasn't in the bill proper.

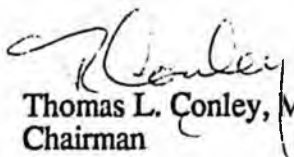
The board went through a time consuming and moderately expensive process of screening, interviewing and choosing an incumbent for the position. The potential evident in the candidate we selected has proved out and by dint of involving herself in extensive training she is at the point of becoming a really effective board administrator. This is particularly important as we prepare to launch the impaired physician program. The development of the program has been primarily her responsibility and the board is looking forward to her direction of it as it is implemented.

Unfortunately, since the position is not listed as partially exempt, the best that could be done was to make the position a temporary classified one that will shortly have to be readvertised. Given lay-off preferences we might well loose a now trained and effective executive. In the short run that will set the board back almost a year.

More importantly in the long run, the precedent of having the board's executive not serve at the pleasure of the board has significant potential for vitiating the effectiveness of the position. Mutual trust and a community of interest between the board and its executive is a must and it therefore seems logical that the position should be a partially exempt one.

Your support of this effort would be greatly appreciated. The board and I will be happy to answer any questions you might have on the matter.

Sincerely,


Thomas L. Conley, MD
Chairman

TLC:ts

SB 501: An Act placing the principal executive officer of the State Medical Board in the partially exempt service.

The Department of Commerce and Economic Development is in support of SB 501 which places the State Medical Board's Executive Secretary position in the partially exempt service.

Currently, two (the Alaska Board of Nursing and the Alaska Real Estate Commission) of the three boards which have executive secretaries assigned to them have their positions listed under AS 39.25.120 as in the partially exempt service. Last session, the Medical Board was also granted an executive secretary position. Despite legislative intent that the position be classed partially exempt, because AS 39.25.120 was not specifically amended to exempt the position, the executive secretary to the Medical Board has had to be classed as a general government employee.

An executive secretary to a licensing board functions with a great deal of independence. The position, a Range 18, while hired by the Division of Occupational Licensing, is hired only with the concurrence of the applicable board and primarily serves the board in its policy making capacity. The licensing and examination of applicants is handled by a licensing examiner in Juneau (a Range 12), while responsibility for board meetings, board agenda, coordination of investigations and the development of policy issues is the sole responsibility of the executive secretary. The level of independence and professionalism required of the position justifies its PX status.

In addition, the position must meet the needs of the board and be very responsive to the policy directives and desires of the board it serves. As a representative of the board at major national meetings and at in-state meetings and conferences, the board must have full confidence that the employee both fully understands and represents the position and interests of the board. If not, the board, which is not a full-time agency, must have the latitude to remove the employee without having to be subjected to the lengthy, progressive discipline requirements that quite rightfully protect general government employees who are supervised on an ongoing basis.

Finally, the inconsistency of having two executive secretary positions classed PX and one position classed GGU makes for obvious administrative disparities that complicate the work environment.

The department supports this bill and urges its adoption.

Kathy Marshall for

J. Anthony Smith, Commissioner
Department of Commerce and Economic
Development

4/14/88

Date

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

FINANCE

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

4/11/88

DATE TURNED INTO OFFICE

Mr. President:

Hess Committee considered SB 501

placing the principal executive officer of the State Medical Board
in the partially exempt service.

and recommended:

- replace with CS _____ same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Committee Backup Attached

Chairman signature and recommendation

Hess Waived

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of _____ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: HESS
FINANCE

**FISCAL NOTE(S) ATTACHED _____ **
IN ACCORDANCE WITH AS 24.08.035
(see below)

4/8/88

DATE TURNED INTO OFFICE _____

Mr. President:

STATE AFFAIRS

Committee considered

SB 501

placing the principal executive officer of the State Medical Board
in the partially exempt service."

and recommended:

[] replace with CS _____ [] same title

[] attached amendment(s) and [] new title

[] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted and attached

** Committee [] attached or [] adopted fiscal note(s)
[] zero [] fiscal impact

MEMBERS SIGNING NO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

[] Committee Backup Attached

State Affairs Waived