

LEG. FINANCE - BILLS

1979 - 1980 1319

SB 243 thru SB 247

1319



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

COMMITTEE REPORT
HOUSE

FURTHER:

April 5, 1979

Date: 2-24-79

Mr. Speaker:

The Committee on FINANCE has had SB 243

"An Act continuing the existence of the Board of Examiners in Optometry; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^{Commence. House} CS for SB 243 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" ~~NEW~~ Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Freeman Do Pass
Smith

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Rogers No Rec

Montgomery No Rec

Freeman
Vice
CHAIRMAN

COMMITTEE REPORT

HOUSE

FURTHER:

April 5, 1979

Date: 2-21-79

Mr. Speaker:

The Committee on FINANCE has had SB 243

"An Act continuing the existence of the Board of Examiners in Optometry; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^{Commerce House} CS for SB 243 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" ~~NEW~~ Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Freeman Do Pass
Smith

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Rogers No Rec

Montgomery No Rec

Freeman
Vice
CHAIRMAN

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/5/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 243

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act terminating the existence of the Board of
7 Examiners in Optometry on January 1, 1981 and reas-
8 signing its responsibilities to the Department of
9 Commerce and Economic Development; and providing for an
10 effective date."

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

12 * Section 1. TERMINATION OF BOARD OF EXAMINERS IN OPTOMETRY. Notwith-
13 standing the provisions of AS 08.03.010, the Board of Examiners in Optometry
14 will continue in existence until January 1, 1981, and after that date the
15 Department of Commerce and Economic Development will have jurisdiction over
16 the licensing of optometrists and the practice of optometry under the provi-
17 sions of AS 08.72.005 - 08.72.300. During the period until January 1, 1981,
18 the members of the board will facilitate the orderly transfer of functions
19 and responsibilities of the board to the department. Nothing in this Act or
20 AS 08.03.010 reduces or limits the authority of the board under AS 08.72.-
21 010 - 08.72.300 before January 1, 1981.

22 * Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

23 (b) This chapter applies to the responsibilities of the department
24 over licensing and regulation of optometrists (AS 08.72.005).

25 * Sec. 3. AS 08.01.050(a)(19) is amended to read:

26 (19) provide investigative services to the boards established
27 under AS 08.20, AS 08.32, AS 08.36, AS 08.64, AS 08.68, AS 08.71,
28 [AS 08.72,] AS 08.80, AS 08.84, and AS 08.86, for the purpose of
29 assisting those boards in matters of professional discipline.

1 * Sec. 4. AS 08.01.050(a) is amended by adding a new paragraph to read:

2 (20) provide investigative services in matters of professional
3 discipline for the profession established under AS 08.72.

4 * Sec. 5. AS 08.01.050(b) is amended to read:

5 (b) The form and content of a license [,] authorized under AS 08
6 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing
7 renewal of a license, shall be determined by the department after con-
8 sultation with and consideration of the views of any [THE] board con-
9 cerned.

10 * Sec. 6. AS 08.72 is amended by adding a new section to read:

11 Sec. 08.72.005. AUTHORITY OF DEPARTMENT. The department has
12 jurisdiction over the practice of optometry and the licensing of optome-
13 trists under this chapter.

14 * Sec. 7. AS 08.72.050 is amended to read:

15 Sec. 08.72.050. POWER OF DEPARTMENT [BOARD] TO ADOPT REGULATIONS.
16 The department [BOARD] shall adopt [RULES AND] regulations
17 [(1) NECESSARY FOR THE PROPER PERFORMANCES OF ITS DUTIES;]
18 (2) governing [THE APPLICANTS AND] applications for licensing
19 of optometrists;
20 (3) for the registration of optometrists;
21 (4) necessary to govern the practice of optometry.

22 * Sec. 8. AS 08.72.060(e) is amended to read:

23 (e) The department [BOARD] may define professional conduct and
24 adopt regulations governing [RULES OF] professional conduct.

25 * Sec. 9. AS 08.72.070 is amended to read:

26 Sec. 08.72.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
27 The department [BOARD] shall comply with the Administrative Procedure
28 Act (AS 44.62).

29 * Sec. 10. AS 08.72.120 is amended to read:

1 Sec. 08.72.120. REGISTRATION. It is unlawful for a person to
2 practice, or attempt, or offer to practice, optometry without first
3 obtaining a certificate of registration from the department [BOARD], and
4 without filing the certificate with the clerk of the superior court in
5 each judicial district in which he practices.

6 * Sec. 11. AS 08.72.125 is amended to read:

7 Sec. 08.72.125. REGISTRATION OF BRANCH OFFICES. (a) The depart-
8 ment [BOARD] may issue to an Alaskan licensee who maintains a full-time
9 practice in the state but who serves other communities in the state on a
10 part-time basis a branch office certificate of registration.

11 (b) It is unlawful for a person to practice, or to attempt or
12 offer to practice, optometry in communities on a part-time basis without
13 obtaining a branch office certificate of registration from the depart-
14 ment [BOARD], and without filing the certificate with the clerk of the
15 superior court in each judicial district in which he maintains a branch
16 office.

17 (c) The department [BOARD] shall prescribe in the regulations the
18 factors to be considered in issuing a branch office certificate of
19 registration.

20 * Sec. 12. AS 08.72.140 is amended to read:

21 Sec. 08.72.140. QUALIFICATIONS FOR EXAMINATION. The department
22 [BOARD] shall admit to the examination a person who furnishes proof that

23 (1) (repealed)

24 (2) he has normal color perception and a visual acuity of a
25 standard of at least 20/40 in at least one eye as corrected;

26 (3) he is not afflicted with a contagious or infectious
27 disease;

28 (4) he has had education equivalent to four years attendance
29 at a state high school;

1 (5) he is a graduate of a recognized school or college of
2 optometry;

3 (6) he is of good moral character.

4 * Sec. 13. AS 08.72.150 is amended to read:

5 Sec. 08.72.150. APPLICATION FOR EXAMINATION AND ISSUANCE OF
6 CERTIFICATE. An applicant shall apply for the examination by filing an
7 application with the department together with the examination fee at
8 least 15 days before the examination. Upon successful completion of the
9 examination by the applicant and payment of the fee, the department
10 [BOARD] shall issue a certificate of registration as a licensed optome-
11 trist to the applicant. After the applicant has properly filed his
12 certificate of registration he may practice optometry in the state.

13 * Sec. 14. AS 08.72.170 is amended to read:

14 Sec. 08.72.170. ISSUANCE OF CERTIFICATE BY WAIVER OF WRITTEN
15 EXAMINATION. (a) The department [BOARD] may waive the written portion
16 of the examination requirement for an applicant who:

17 (1) meets the qualifications of AS 08.72.140;

18 (2) holds a current license by examination in another state,
19 territory or foreign country and has been established in ethical
20 optometric practice for at least three years before the application, or
21 shows satisfactory evidence of having passed the written portion of the
22 examination given by the National Board of Examiners in Optometry; and

23 (3) has not had a certificate or license revoked for cause in
24 any state, territory or foreign country.

25 * Sec. 15. AS 08.72.181(c) and (d) are amended to read:

26 (c) An application for license renewal shall contain the name,
27 office and post office address, date and license number of the licensee,
28 and other information the department [BOARD] considers necessary.

29 (d) Before a license may be renewed the licensee shall submit to

1 the department [BOARD] evidence of 24 hours post graduate education as
2 prescribed by regulations of the department [BOARD].

3 * Sec. 16. AS 08.72.240 is amended to read:

4 Sec. 08.72.240. REVOCATION OF REGISTRATION CERTIFICATE OR EXEMP-
5 TION. The department [BOARD] may revoke a certificate of registration
6 or exemption granted by it if the holder

7 (1) has violated an [A RULE,] order or regulation of the
8 department [BOARD]; or

9 (2) has violated this chapter or is guilty of a crime; or

10 (3) is grossly incompetent, afflicted with a contagious
11 disease, habitually drunk or guilty of unprofessional conduct; [.]

12 (4) denies care or treatment to a patient or person seeking
13 assistance from the optometrist if the sole reason for the denial is the
14 failure or refusal of the patient or person seeking assistance to exe-
15 cute an agreement to arbitrate a dispute, controversy, or issue arising
16 out of the care or treatment, as provided in AS 09.55.535(a).

17 * Sec. 17. AS 08.72.250 is amended to read:

18 Sec. 08.72.250. DEPARTMENTAL [BOARD] ACTION ON REVOCATION AND
19 RENEWAL. In a proceeding for the revocation of a certificate of regis-
20 tration or for the annulment of registration the department [BOARD]
21 shall make a complete written report of its findings, and if the
22 department [BOARD] finds that any of the charges are sustained, the
23 department [BOARD] may revoke the certificate of the accused, or annul
24 his registration, or both. If the department [BOARD] annuls the regis-
25 tration, it shall transmit to the clerk of the judicial district in
26 which the accused is registered as an optometrist, a certificate under
27 its seal, certifying that his registration has been annulled. The clerk
28 shall, upon receipt of the certificate, file it and mark the registra-
29 tion "annulled." The department [BOARD] may, after the expiration of

1 one year, entertain an application for the renewal of a revoked certi-
2 ficate, in the same manner as an original application for a certificate
3 and may exempt the applicant from the examination.

4 * Sec. 18. AS 08.72.255 is amended to read:

5 Sec. 08.72.255. LIMITS OR CONDITIONS ON LICENSE; DISCIPLINE. (a)
6 In addition to action under AS 08.72.240 and 08.72.250, upon a finding
7 that by reason of demonstrated problems of competence, experience,
8 education, or health the authority to practice optometry under this
9 chapter should be limited or conditioned or the practitioner disci-
10 plined, the department [BOARD] may reprimand, censure, place on proba-
11 tion, restrict practice by specialty, procedure or facility, require
12 additional education or training, or revoke or suspend a license.

13 (b) The Administrative Procedure Act (AS 44.62) applies to any
14 action taken by the department [BOARD] under this section.

15 * Sec. 19. AS 08.72.260 is amended to read:

16 Sec. 08.72.260. REVOCATION OF LICENSE BY COURT. A license may be
17 revoked by the superior court upon proof of violation of law or for a
18 cause for which the department [BOARD] may refuse admittance to its
19 examination. The attorney general shall prosecute appropriate judicial
20 proceedings upon request of the department [A MEMBER OF THE BOARD].

21 * Sec. 20. AS 08.72.280 is amended to read:

22 Sec. 08.72.280. VIOLATIONS. No person may falsely personate a
23 registered optometrist, nor buy, sell or fraudulently obtain a certi-
24 ficate of registration issued to another or advertise the practice of
25 optometry in violation of regulations [RULES] of the department [BOARD].
26 Practicing or offering to practice optometry is sufficient evidence of a
27 violation of this chapter.

28 * Sec. 21. REPEALER. AS 08.01.010(11); AS 08.03.010(a)(6); AS 08.72.-
29 010 - 08.72.040; and 08.72.060(a) - (c) are repealed.

1 * Sec. 22. EFFECTIVE DATE. Section 1 of this Act takes effect immedi-
2 ately in accordance with AS 01.10.070(c). Sections 2 - 21 of this Act take
3 effect January 1, 1981.

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

Introduced: 3/14/79
Referred: Health, Education
& Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 243

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Board of

7

Examiners in Optometry; and providing for an effective

8

date."

9

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

10

* Section 1. AS 08.03.010(c) is repealed and reenacted to read:

11

(c) The following board has the termination date provided by this

12

subsection: Board of Examiners in Optometry (AS 08.72.010) -- June 30,

13

1983.

14

* Sec. 2. AS 08.03 is amended by adding a new section to read:

15

Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF

16

REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-

17

03.010 shall continue in existence until June 30 of the next succeeding

18

year for the purpose of concluding its affairs. During this period,

19

termination does not reduce or otherwise limit the powers or authority

20

of each board. One year after the date of termination, a board not

21

continued shall cease all activities.

22

(b) The termination, dissolution, continuation or reestablishment

23

of a regulatory board shall be governed by the legislative oversight

24

procedures of AS 44.66.050.

25

(c) A board scheduled for termination under this chapter may be

26

continued or reestablished by the legislature for a period not to exceed

27

four years.

28

* Sec. 3. AS 08.03.010(a)(6), (d) and (e) are repealed.

29

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

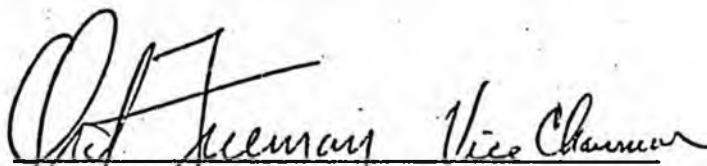
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST House Committee Substitute for Senate Bill 241, 242, 243, 244, 245,
Bill/Resolution No. 246, 247, and 248. House Bill 446 and 447.
Title Acts relating to Sunset Legislation
Requested by Finance Committee Date 4/24/79

II. FISCAL DETAIL
Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	23.4	50.0	52.7	56.0
200 TRAVEL	-0-	-0-	(9.5)	(20.1)	(21.3)	(22.6)
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	3.4	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	17.3	29.9	31.4	33.4

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	17.3	29.9	31.4	33.4
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	2	2	2
PART TIME	-0-	-0-	2	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis

IV. DATE 4/24/79 PREPARED BY Don Hostak, Director
AGENCY Occupational Licensing
PHONE 465-2534
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

In regard to the termination of seven health care boards effective January 1, 1981 and the resulting assumption of the licensing function by the Division of Occupational Licensing, it is difficult to estimate fiscal impact at this time. However, overall results are estimated to be:

1. Elimination of board meetings
(travel and per diem)
2. Elimination of Practical examinations on:
 - a. Chiropractors
 - b. Optometrists
 - c. Veterinarians
 - d. Dispensing Opticians
3. Licensure would be by
 - a. National examination (4 boards currently use)
 - b. State examination (7 boards currently use)
 - c. Educational requirements; or
 - d. Endorsement

The period prior to termination will be used to work with the boards in updating statutes and regulations in order to define set criteria for licensure and regulation of each profession. If problems arise after transfer of this function, assistance could be obtained from State Professional Associations and/or former board members.

Two additional support personnel (R-12's) would be needed to complement current staff. License examiners would be relieved of some duties currently being performed for board members. These duties would be replaced by detailed review and licensure of applicants.

Analysis:

Personnel Services

For FY81 (2) full time positions for only half the year at R-12 with Benefits = \$3,028, FICA = \$1588 and Health Insurance = \$1716 \$23,444

For FY 82 and every year thereafter (2) full time positions for full years at R-12 with Benefits, FICA and Health Insurance \$49,701

A 6% inflation rate is used for FY83 and 84.

Travel

Travel expenditures were estimated for FY80. To estimate travel savings for FY81 half of FY80 figures were used being as the boards will continue through half of the year. The savings for FY82, FY83 and FY84 will be double of FY81 plus a 6% inflation rate.

Travel for FY81 by board is estimated to be:

Psychology	2.2
Nursing	-0-
Dental	-0-
Chiropractor	1.6
Veterinary	1.1
Phy. Therapy	.9
Disp. Optician	.8
Optometry	.9
Pharmacy	-0-
Medical	-0-
Nursing H. Admin.	2.0
	(9.5)

Equipment

For FY81 and only that year the estimated cost to equip the 2 R-12 positions would be:

2 desks 70 X 36	\$370 ea.
2 credenza 19 X 36	295 ea.
2 file cabinets	172 ea.
2 chairs posture	91 ea.
2 typewriters	706 ea.
2 type tables	62 ea.
	\$3,392 Total

Introduced: 3/14/79
Referred: Health, Education
& Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 243

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Board of

7

Examiners in Optometry; and providing for an effective

8

date."

9

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

10

* Section 1. AS 08.03.010(c) is repealed and reenacted to read:

11

(c) The following board has the termination date provided by this

12

subsection: Board of Examiners in Optometry (AS 08.72.010) -- June 30,

13

1983.

14

* Sec. 2. AS 08.03 is amended by adding a new section to read:

15

Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF

16

REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-

17

03.010 shall continue in existence until June 30 of the next succeeding

18

year for the purpose of concluding its affairs. During this period,

19

termination does not reduce or otherwise limit the powers or authority

20

of each board. One year after the date of termination, a board not

21

continued shall cease all activities.

22

(b) The termination, dissolution, continuation or reestablishment

23

of a regulatory board shall be governed by the legislative oversight

24

procedures of AS 44.66.050.

25

(c) A board scheduled for termination under this chapter may be

26

continued or reestablished by the legislature for a period not to exceed

27

four years.

28

* Sec. 3. AS 08.03.010(a)(6), (d) and (e) are repealed.

29

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

COMMITTEE REPORT
HOUSE

FURTHER:

April 17, 1979

Date: 4-24-79

Mr. Speaker:

The Committee on FINANCE has had SB 244

"An Act continuing the existence of the Board of Pharmacy; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for House same title
 new title
- and recommends put it back without recommendation
- AND attaches a "Letter of Intent" ~~NEW~~ Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Freeman

Rogers

MEMBERS HAVING
OTHER RECOMMENDATIONS:

McKinnon - No Rec.

Smith - No Rec.

Montgomery - No Rec.

Freeman
Vice CHAIRMAN

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/17/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy and amending the laws regulating the practice
8 of pharmacy; and providing for an effective date."

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

10 * Section 1. AS 08.03.010(c) is amended by adding a new subsection to
11 read:

12 (f) The following board has the termination date provided by this
13 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

14 * Sec. 2. AS 08.80.010 is amended to read:

15 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.
16 There is created the Board of Pharmacy, composed of seven members, four
17 [FIVE] of whom shall be pharmacists licensed in the state who have been
18 actively engaged in the practice of pharmacy in the state for a period
19 of three years immediately preceding their appointment. Three [TWO]
20 shall be persons with no direct financial interest in the health care
21 industry. Whenever possible, the board shall include at least one
22 member from each judicial district.

23 * Sec. 3. AS 08.80.020 is amended to read:

24 Sec. 08.80.020. TERM OF OFFICE. Members of the board are
25 appointed by the governor, and confirmed by the legislature in joint
26 session, for staggered [OVERLAPPING] terms of four [FIVE] years, or
27 until their successors are appointed and qualified. The terms of the
28 public members shall be staggered so that they do not [NO] expire at the
29 same time. An appointment to fill a vacancy is for the unexpired term.

1 The term of office begins on April 1 of each year.

2 * Sec. 4. AS 08.80 is amended by adding a new section to read:

3 Sec. 08.80.025. LIMITATION ON TERM OF SERVICE. A board member may
4 not serve more than two consecutive terms. Time served in filling an
5 unexpired vacancy of two years or less is not considered a term.

6 * Sec. 5. AS 08.03.010(c) is amended to read:

7 (c) Upon termination, each board listed in [(a) AND (b) OF] this
8 section shall continue in existence until June 30 of the next succeeding
9 year for the purpose of concluding its affairs. During this period,
10 termination does not reduce or otherwise limit the powers or authority
11 of each board. One year after the date of termination, a board not
12 continued shall cease all activities.

13 * Sec. 6. An incumbent member does not lose membership on the board
14 because of the reallocation of the membership enacted by sec. 2 of this Act
15 and does not have his term shortened by sec. 3 of this Act. All appointments
16 after the effective date of this Act must be consistent with AS 08.80.010 and
17 08.80.020.

18 * Sec. 7. AS 08.03.010(a)(7) is repealed.

19 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

21
22
23
24
25
26
27
28
29

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

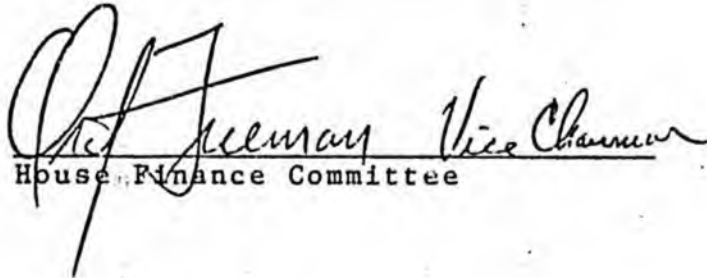
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

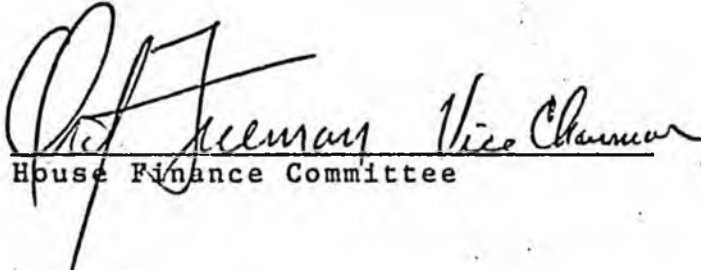
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

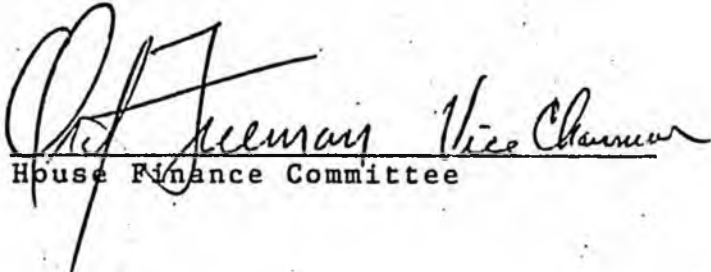
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248

and

SB 246 and HB 446 & 447

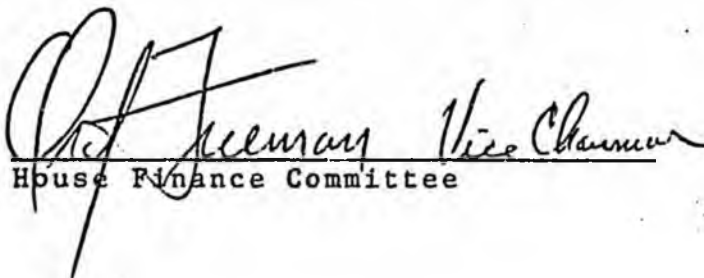
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

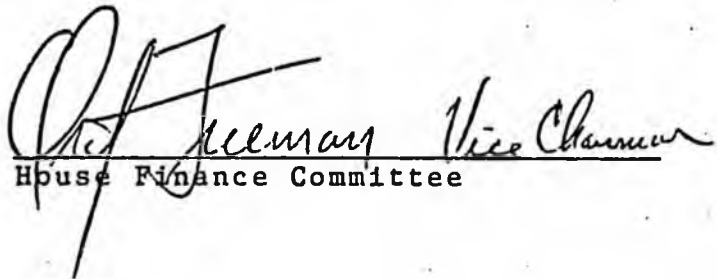
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


Dick Freeman Vice Chairman
House Finance Committee

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST House Committee Substitute for Senate Bill 241, 242, 243, 244, 245,
Bill/Resolution No. 246, 247, and 248. House Bill 446 and 447.
Title Acts relating to Sunset Legislation
Requested by Finance Committee Date 4/24/79

II. FISCAL DETAIL
Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 81
100 PERSONAL SERVICES	-0-	-0-	23.4	50.0	52.7	56.0
200 TRAVEL	-0-	-0-	(9.5)	(29.1)	(21.3)	(22.6)
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	3.4	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	17.3	29.9	31.4	33.4

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 81
GENERAL FUND	-0-	-0-	17.3	29.9	31.4	33.4
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 81
FULL TIME	-0-	-0-	-0-	2	2	2
PART TIME	-0-	-0-	2	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis

IV. DATE 4/24/79 PREPARED BY Don Postak, Director
AGENCY Occupational Licensing
PHONE 465-2534
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

In regard to the termination of seven health care boards effective January 1, 1981 and the resulting assumption of the licensing function by the Division of Occupational Licensing, it is difficult to estimate fiscal impact at this time. However, overall results are estimated to be:

1. Elimination of board meetings
(travel and per diem)
2. Elimination of Practical examinations on:
 - a. Chiropractors
 - b. Optometrists
 - c. Veterinarians
 - d. Dispensing Opticians
3. Licensure would be by
 - a. National examination (4 boards currently use)
 - b. State examination (7 boards currently use)
 - c. Educational requirements; or
 - d. Endorsement

The period prior to termination will be used to work with the boards in updating statutes and regulations in order to define set criteria for licensure and regulation of each profession. If problems arise after transfer of this function, assistance could be obtained from State Professional Associations and/or former board members.

Two additional support personnel (R-12's) would be needed to complement current staff. License examiners would be relieved of some duties currently being performed for board members. These duties would be replaced by detailed review and licensure of applicants.

Analysis:

Personnel Services

For FY81 (2) full time positions for only half the year at R-12 with Benefits = \$3,028, FICA = \$1588 and Health Insurance = \$1716 \$23,444

For FY 82 and every year thereafter (2) full time positions for full years at R-12 with Benefits, FICA and Health Insurance \$49,701

A 6% inflation rate is used for FY83 and 84.

Travel

Travel expenditures were estimated for FY80. To estimate travel savings for FY81 half of FY80 figures were used being as the boards will continue through half of the year. The savings for FY82, FY83 and FY84 will be double of FY81 plus a 6% inflation rate.

Travel for FY81 by board is estimated to be:

Psychology	2.2
Nursing	-0-
Dental	-0-
Chiropractor	1.6
Veterinary	1.1
Phy. Therapy	.9
Disp. Optician	.8
Optometry	.9
Pharmacy	-0-
Medical	-0-
Nursing R. Admin.	2.0
	(9.5)

Equipment

For FY81 and only that year the estimated cost to equip the 2 R-12 positions would be:

2 desks 70 X 36	\$370 ea.
2 credenza 19 X 36	295 ea.
2 file cabinets	172 ea.
2 chairs posture	91 ea.
2 typewriters	705 ea.
2 type tables	62 ea.
	\$3,392 total

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/17/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy and amending the laws regulating the practice
8 of pharmacy; and providing for an effective date."

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

10 * Section 1. AS 08.03.010(c) is amended by adding a new subsection to
11 read:

12 (f) The following board has the termination date provided by this
13 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

14 * Sec. 2. AS 08.80.010 is amended to read:

15 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.

16 There is created the Board of Pharmacy, composed of seven members, four
17 [FIVE] of whom shall be pharmacists licensed in the state who have been
18 actively engaged in the practice of pharmacy in the state for a period
19 of three years immediately preceding their appointment. Three [TWO]
20 shall be persons with no direct financial interest in the health care
21 industry. Whenever possible, the board shall include at least one
22 member from each judicial district.

23 * Sec. 3. AS 08.80.020 is amended to read:

24 Sec. 08.80.020. TERM OF OFFICE. Members of the board are
25 appointed by the governor, and confirmed by the legislature in joint
26 session, for staggered [OVERLAPPING] terms of four [FIVE] years, or
27 until their successors are appointed and qualified. The terms of the
28 public members shall be staggered so that they do not [NO] expire at the
29 same time. An appointment to fill a vacancy is for the unexpired term.

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/17/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy and amending the laws regulating the practice
8 of pharmacy; and providing for an effective date."

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

10 * Section 1. AS 08.03.010(c) is amended by adding a new subsection to
11 read:

12 (f) The following board has the termination date provided by this
13 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

14 * Sec. 2. AS 08.80.010 is amended to read:

15 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.

16 There is created the Board of Pharmacy, composed of seven members, four
17 [FIVE] of whom shall be pharmacists licensed in the state who have been
18 actively engaged in the practice of pharmacy in the state for a period
19 of three years immediately preceding their appointment. Three [TWO]
20 shall be persons with no direct financial interest in the health care
21 industry. Whenever possible, the board shall include at least one
22 member from each judicial district.

23 * Sec. 3. AS 08.80.020 is amended to read:

24 Sec. 08.80.020. TERM OF OFFICE. Members of the board are
25 appointed by the governor, and confirmed by the legislature in joint
26 session, for staggered [OVERLAPPING] terms of four [FIVE] years, or
27 until their successors are appointed and qualified. The terms of the
28 public members shall be staggered so that they do not [NO] expire at the
29 same time. An appointment to fill a vacancy is for the unexpired term.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/17/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy and amending the laws regulating the practice
8 of pharmacy; and providing for an effective date."

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

10 * Section 1. AS 08.03.010(c) is amended by adding a new subsection to
11 read:

12 (f) The following board has the termination date provided by this
13 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

14 * Sec. 2. AS 08.80.010 is amended to read:

15 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.

16 There is created the Board of Pharmacy, composed of seven members, four
17 [FIVE] of whom shall be pharmacists licensed in the state who have been
18 actively engaged in the practice of pharmacy in the state for a period
19 of three years immediately preceding their appointment. Three [TWO]
20 shall be persons with no direct financial interest in the health care
21 industry. Whenever possible, the board shall include at least one
22 member from each judicial district.

23 * Sec. 3. AS 08.80.020 is amended to read:

24 Sec. 08.80.020. TERM OF OFFICE. Members of the board are
25 appointed by the governor, and confirmed by the legislature in joint
26 session, for staggered [OVERLAPPING] terms of four [FIVE] years, or
27 until their successors are appointed and qualified. The terms of the
28 public members shall be staggered so that they do not [NO] expire at the
29 same time. An appointment to fill a vacancy is for the unexpired term.

1 The term of office begins on April 1 of each year.

2 * Sec. 4. AS 08.80 is amended by adding a new section to read:

3 Sec. 08.80.025. LIMITATION ON TERM OF SERVICE. A board member may
4 not serve more than two consecutive terms. Time served in filling an
5 unexpired vacancy of two years or less is not considered a term.

6 * Sec. 5. AS 08.03.010(c) is amended to read:

7 (c) Upon termination, each board listed in [(a) AND (b) OF] this
8 section shall continue in existence until June 30 of the next succeeding
9 year for the purpose of concluding its affairs. During this period,
10 termination does not reduce or otherwise limit the powers or authority
11 of each board. One year after the date of termination, a board not
12 continued shall cease all activities.

13 * Sec. 6. An incumbent member does not lose membership on the board
14 because of the reallocation of the membership enacted by sec. 2 of this Act
15 and does not have his term shortened by sec. 3 of this Act. All appointments
16 after the effective date of this Act must be consistent with AS 08.80.010 and
17 08.80.020.

18 * Sec. 7. AS 08.03.010(a)(7) is repealed.

19 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/17/79
Referred: Finance

1 IN THE SENATE BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy and amending the laws regulating the practice
8 of pharmacy; and providing for an effective date."

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

10 * Section 1. AS 08.03.010(c) is amended by adding a new subsection to
11 read:

12 (f) The following board has the termination date provided by this
13 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

14 * Sec. 2. AS 08.80.010 is amended to read:

15 Sec. 08.80.010. CREATION AND MEMBERSHIP OF BOARD OF PHARMACY.

16 There is created the Board of Pharmacy, composed of seven members, four
17 [FIVE] of whom shall be pharmacists licensed in the state who have been
18 actively engaged in the practice of pharmacy in the state for a period
19 of three years immediately preceding their appointment. Three [TWO]
20 shall be persons with no direct financial interest in the health care
21 industry. Whenever possible, the board shall include at least one
22 member from each judicial district.

23 * Sec. 3. AS 08.80.020 is amended to read:

24 Sec. 08.80.020. TERM OF OFFICE. Members of the board are
25 appointed by the governor, and confirmed by the legislature in joint
26 session, for staggered [OVERLAPPING] terms of four [FIVE] years, or
27 until their successors are appointed and qualified. The terms of the
28 public members shall be staggered so that they do not [NO] expire at the
29 same time. An appointment to fill a vacancy is for the unexpired term.

1 The term of office begins on April 1 of each year.

2 * Sec. 4. AS 08.80 is amended by adding a new section to read:

3 Sec. 08.80.025. LIMITATION ON TERM OF SERVICE. A board member may
4 not serve more than two consecutive terms. Time served in filling an
5 unexpired vacancy of two years or less is not considered a term.

6 * Sec. 5. AS 08.03.010(c) is amended to read:

7 (c) Upon termination, each board listed in [(a) AND (b) OF] this
8 section shall continue in existence until June 30 of the next succeeding
9 year for the purpose of concluding its affairs. During this period,
10 termination does not reduce or otherwise limit the powers or authority
11 of each board. One year after the date of termination, a board not
12 continued shall cease all activities.

13 * Sec. 6. An incumbent member does not lose membership on the board
14 because of the reallocation of the membership enacted by sec. 2 of this Act
15 and does not have his term shortened by sec. 3 of this Act. All appointments
16 after the effective date of this Act must be consistent with AS 08.80.010 and
17 08.80.020.

18 * Sec. 7. AS 08.03.010(a)(7) is repealed.

19 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

Introduced: 3/14/79
Referred: Health, Education
& Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of
7 Pharmacy; and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c) is repealed and reenacted to read:

10 (c) The following board has the termination date provided by this
11 subsection: Board of Pharmacy (AS 08.80.010) -- June 30, 1983.

12 * Sec. 2. AS 08.03 is amended by adding a new section to read:

13 Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
14 REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-
15 03.010 shall continue in existence until June 30 of the next succeeding
16 year for the purpose of concluding its affairs. During this period,
17 termination does not reduce or otherwise limit the powers or authority
18 of each board. One year after the date of termination, a board not
19 continued shall cease all activities.

20 (b) The termination, dissolution, continuation or reestablishment
21 of a regulatory board shall be governed by the legislative oversight
22 procedures of AS 44.66.050.

23 (c) A board scheduled for termination under this chapter may be
24 continued or reestablished by the legislature for a period not to exceed
25 four years.

26 * Sec. 3. AS 08.03.010(a)(7), (d) and (e) are repealed.

27 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).

29



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

COMMITTEE REPORT HOUSE

FURTHER:

April 5, 1979

Date: 4-4-79

Mr. Speaker:

The Committee on FINANCE has had SB 245

"An Act continuing the existence of the Board of Dispensing Opticians; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^{Commerce Code} CS for SB 245 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Freeman Do-Pass

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Smith - No Rec

Rogers - No Rec

Matzger - No Rec

Freeman
Vice CHAIRMAN

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/5/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 245

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act terminating the existence of the Board of
7 Dispensing Opticians on January 1, 1981 and reassigning
8 its responsibilities to the Department of Commerce and
9 Economic Development; and providing for an effective
10 date."

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

12 * Section 1. TERMINATION OF BOARD OF DISPENSING OPTICIANS. Notwithstand-
13 ing the provisions of AS 08.03.010, the Board of Dispensing Opticians will
14 continue in existence until January 1, 1981, and after that date the Depart-
15 ment of Commerce and Economic Development will have jurisdiction over the
16 licensing of dispensing opticians under the provisions of AS 08.71.005 -
17 08.71.240. During the period until January 1, 1981, the members of the board
18 will facilitate the orderly transfer of functions and responsibilities of the
19 board to the department. Nothing in this Act or AS 08.03.010 reduces or
20 limits the authority of the board under AS 08.71.010 - 08.71.240 before
21 January 1, 1981.

22 * Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

23 (b) This chapter applies to the responsibilities of the department
24 over licensing and regulation of dispensing opticians (AS 08.71.005).

25 * Sec. 3. AS 08.01.050(a)(19) is amended to read:

26 (19) provide investigative services to the boards established
27 under AS 08.20, AS 08.32, AS 08.36, AS 08.64, AS 08.68, [AS 08.71,]
28 AS 08.72, AS 08.80, AS 08.84, and AS 08.86 for the purpose of assisting
29 those boards in matters of professional discipline.

1 * Sec. 4. AS 08.01.050(a) is amended by adding a new paragraph to read:
2 (20) provide investigative services in matters of professional
3 discipline for the profession established under AS 08.71.

4 * Sec. 5. AS 08.01.050(b) is amended to read:

5 (b) The form and content of a license [,] authorized under AS 08
6 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing
7 renewal of a license, shall be determined by the department after con-
8 sultation with and consideration of the views of any [THE] board con-
9 cerned.

10 * Sec. 6. AS 08.71 is amended by adding a new section to read:

11 Sec. 08.71.005. AUTHORITY OF DEPARTMENT. The department has
12 jurisdiction over the licensing and the practice of dispensing opticians
13 under this chapter.

14 * Sec. 7. AS 08.71.050 is amended to read:

15 Sec. 08.71.050. DEPARTMENTAL [BOARD] REGULATIONS. The department
16 [BOARD] may adopt regulations:

17 (1) necessary or advisable to carry out the provisions of
18 this chapter and which help to assure the competency of dispensing
19 opticians and prevent conduct on their part which would tend to do harm
20 to the visual health of the public;

21 (2) governing the practice of dispensing opticians;

22 (3) specifying the subject matter to be covered in examina-
23 tions for dispensing opticians.

24 * Sec. 8. AS 08.71.070 is amended to read:

25 Sec. 08.71.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
26 The department [BOARD] shall comply with the Administrative Procedure
27 Act (AS 44.62).

28 * Sec. 9. AS 08.71.080 is amended to read:

29 Sec. 08.71.080. LICENSE REQUIRED. No person may act as a dis-

1 pensing optician in the state unless he is licensed under this chapter.
2 In order to be licensed under this chapter, a person shall pass an
3 examination given by the department [BOARD], unless he is eligible for
4 licensing without examination under AS 08.71.150. A license shall be
5 issued for (1) the dispensing of contact lenses, or (2) the dispensing
6 of other lenses, eyeglasses, spectacles, artificial eyes, and their
7 appurtenances, or (3) both. The department [BOARD] shall by endorsement
8 on the license designate for which aspect of dispensing opticianry the
9 license is issued. The department [BOARD] shall license successful
10 examinees.

11 * Sec. 10. AS 08.71.090 is amended to read:

12 Sec. 08.71.090. CONTENT OF EXAMINATION. To be licensed as a
13 dispensing optician a person, unless eligible for licensing without
14 examination under AS 08.71.150, shall pass an examination given by the
15 department [BOARD]. At the discretion of the department [BOARD], the
16 examination may test orally, in writing, or otherwise, knowledge and
17 skills in any or all of the following subjects: optics, anatomy,
18 laboratory technology, ophthalmic dispensing, contact lens technology,
19 technical mathematics and physics, and business concepts of optical dis-
20 pensing.

21 * Sec. 11. AS 08.71.100 is amended to read:

22 Sec. 08.71.100. ADMINISTRATION OF EXAMINATION. The department
23 [BOARD] shall offer an examination at least once a year. Examinations
24 shall be administered so that one who grades the written part of the
25 examination does not know whose paper he is grading.

26 * Sec. 12. AS 08.71.130(c) and (d) are amended to read:

27 (c) If the license remains lapsed for more than one year, the
28 department [BOARD] may require the applicant to be examined under AS 08.
29 71.090.

1 (d) Before a license may be renewed the licensee shall submit to
2 the department [BOARD] evidence of 15 hours of continuing competence in
3 optical dispensing as prescribed by regulations of the department
4 [BOARD].

5 * Sec. 13. AS 08.71.150 is amended to read:

6 Sec. 08.71.150. ISSUANCE OF LICENSE BY RECIPROCITY. An applicant
7 who has been licensed and has been practicing as a dispensing optician
8 in a state, territory, district or possession of the United States which
9 has requirements for licensing and gives reciprocal rights equivalent to
10 those of this state, and who otherwise meet the requirements of AS 08.-
11 71.110, shall be licensed by the department [BOARD] without examination.

12 * Sec. 14. AS 08.71.160(a) is amended to read:

13 (a) A person may be employed by a licensed dispensing optician as
14 an apprentice. An apprentice shall be designated as such in the records
15 of the department [BOARD] at the request of a licensed physician,
16 optometrist or dispensing optician and shall be in training and under
17 the direct supervision of a licensed physician, optometrist or dis-
18 pensing optician. No apprentice may be employed under this section for
19 longer than six years unless the department [BOARD] determines that an
20 apprentice is prevented by circumstances beyond his control from obtain-
21 ing a license as a dispensing optician within that time.

22 * Sec. 15. AS 08.71.170 is amended to read:

23 Sec. 08.71.170. GROUNDS FOR REVOCATION, SUSPENSION OR DENIAL OF
24 LICENSE. The department [BOARD], after compliance with the Administra-
25 tive Procedure Act (AS 44.62), may revoke, suspend or deny the license
26 of a person who

- 27 (1) has been convicted of a felony involving moral turpitude;
28 (2) is addicted to the use of alcohol or any other drug;
29 (3) has used advertising, whether printed, radio, display, or

1 of any other nature, which is fraudulent, misleading or inaccurate in
2 any material particular, or misrepresents in any way goods, services or
3 credit terms, values, policies, services or the nature or form of the
4 business conducted;

5 (4) has practiced fraud or deception in his application for
6 or in his examination for a license;

7 (5) has used the word "licensed", "registered", or any of
8 their synonyms publicly. except as provided in AS 08.71.140;

9 (6) has displayed or published directly or indirectly by any
10 means, a price, terms of payment, or a discount, or a policy or practice
11 of generally underselling competitors, or any reference to the benefits
12 available to the subscribers to any prepaid health plan;

13 (7) has participated in the division, assignment, rebate or
14 refund of fees to a physician or optometrist in consideration of patient
15 referrals;

16 (8) has bartered or given away as premiums in any manner
17 either on his own account or as agent or representative for another
18 person, firm or corporation, any eyeglasses, spectacles, lenses or
19 frames;

20 (9) has advertised the "free examinations of eyes", "free
21 consultation", "consultation without obligation", "free advice", or any
22 words or phrases of similar import which convey the impression to the
23 public that eyes are examined free or are of a character tending to
24 deceive or mislead the public, or are in the nature of "bait advertis-
25 ing";

26 (10) has employed either directly or indirectly any person
27 commonly known as a "capper" or a "steerer" to obtain business;

28 (11) has solicited or employed any person to solicit from
29 house to house;

1 (12) has used advertising offering a service to the public for
2 which he is not licensed under this chapter; however, nothing in this
3 section prohibits the optician from advertising merchandise for which
4 the license which is the subject of this chapter is not required;

5 (13) has engaged in a group contract for the duplication of
6 eyeglasses or spectacles without a written prescription from an optome-
7 trist or physician; [OR]

8 (14) has advertised the services of any other segment of the
9 healing arts; [.]

10 (15) denies care or treatment to a patient or person seeking
11 assistance from the optician if the sole reason for the denial is the
12 failure or refusal of the patient to execute an agreement to arbitrate a
13 dispute, controversy, or issue arising out of the care or treatment, as
14 provided in AS 09.55.535(a).

15 * Sec. 16. AS 08.71.175 is amended to read:

16 Sec. 08.71.175. LIMITS OR CONDITIONS ON LICENSE; DISCIPLINE. (a)
17 In addition to action under AS 08.71.170, upon a finding that by reason
18 of demonstrated problems of competence, experience, education, or health
19 the authority to practice as a dispensing optician under this chapter
20 should be limited or conditioned or the practitioner disciplined, the
21 department [BOARD] may reprimand, censure, place on probation, restrict
22 practice by procedure or facility, require additional education or
23 training, or revoke or suspend a license.

24 (b) The Administrative Procedure Act (AS 44.62) applies to any
25 action taken by the department [BOARD] under this section.

26 * Sec. 17. AS 08.71.220(a) and (b) are amended to read:

27 (a) Within 60 days after July 1, 1973, a person who has been
28 engaged in practice in Alaska as a dispensing optician for a period of
29 at least six months immediately preceding July 1, 1973 shall be issued a

1 license without examination upon the payment of a fee of \$50 and a
2 certification to the department [BOARD] under oath that he is of good
3 moral character and that

4 (1) he has been engaged as a dispensing optician for not less
5 than 3,000 hours; or

6 (2) he has been engaged as a dispensing optician in contact
7 lens fitting for not less than 6,000 hours.

8 (b) If a person qualifies for a license under (a)(1) or (2) of
9 this section, the department [BOARD] shall by endorsement on the license
10 designate for which aspect of dispensing opticianry the license is
11 issued. If a person qualifies for a license under (a)(1) and (2) of
12 this section, the department [BOARD] shall by endorsement on the license
13 so designate.

14 * Sec. 18. REPEALER. AS 08.01.010(19), AS 08.03.010(a)(5), AS 08.71.-
15 010 - 08.71.040, 08.71.060, and 08.71.240(1) are repealed.

16 * Sec. 19. EFFECTIVE DATE. Section 1 of this Act takes effect immedi-
17 ately in accordance with AS 01.10.070(c). Sections 2 - 18 of this Act take
18 effect January 1, 1981.

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

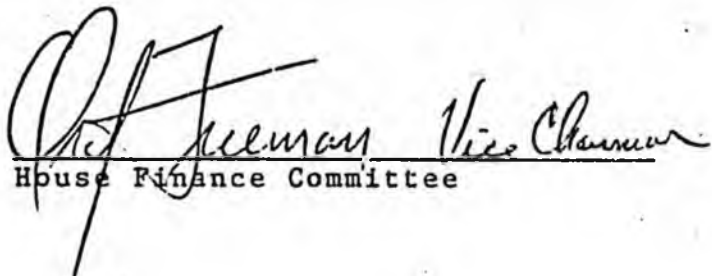
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST House Committee Substitute for Senate Bill 241, 242, 243, 244, 245,
Bill/Resolution No. 246, 247, and 248. House Bill 446 and 447.
Title Acts relating to Sunset Legislation
Requested by Finance Committee Date 4/26/79

II. FISCAL DETAIL
Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	23.4	50.0	52.7	55.0
200 TRAVEL	-0-	-0-	(9.5)	(20.1)	(21.3)	(22.6)
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	3.4	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	17.3	29.9	31.4	33.4

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	17.3	29.9	31.4	33.4
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	2	2	2
PART TIME	-0-	-0-	2	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis

IV. DATE 4/24/79 PREPARED BY Don Hostak, Director
AGENCY Occupational Licensing
PHONE 465-2534
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

In regard to the termination of seven health care boards effective January 1, 1981 and the resulting assumption of the licensing function by the Division of Occupational Licensing, it is difficult to estimate fiscal impact at this time. However, overall results are estimated to be:

1. Elimination of board meetings
(travel and per diem)
2. Elimination of Practical examinations on:
 - a. Chiropractors
 - b. Optometrists
 - c. Veterinarians
 - d. Dispensing Opticians
3. Licensure would be by
 - a. National examination (4 boards currently use)
 - b. State examination (7 boards currently use)
 - c. Educational requirements; or
 - d. Endorsement

The period prior to termination will be used to work with the boards in updating statutes and regulations in order to define set criteria for licensure and regulation of each profession. If problems arise after transfer of this function, assistance could be obtained from State Professional Associations and/or former board members.

Two additional support personnel (R-12's) would be needed to complement current staff. License examiners would be relieved of some duties currently being performed for board members. These duties would be replaced by detailed review and licensure of applicants.

Analysis:

Personnel Services

For FY81 (2) full time positions for only half the year at R-12 with Benefits = \$3,028, FICA = \$1583 and Health Insurance = \$1716 \$23,444

For FY 82 and every year thereafter (2) full time positions for full years at R-12 with Benefits, FICA and Health Insurance \$49,701

A 6% inflation rate is used for FY83 and 84.

Travel

Travel expenditures were estimated for FY80. To estimate travel savings for FY81 half of FY80 figures were used being as the boards will continue through half of the year. The savings for FY82, FY83 and FY84 will be double of FY81 plus a 6% inflation rate.

Travel for FY81 by board is estimated to be:

Psychology	2.2
Nursing	-0-
Dental	-0-
Chiropractor	1.6
Veterinary	1.1
Phy. Therapy	.9
Disp. Optician	.8
Optometry	.9
Pharmacy	-0-
Medical	-0-
Nursing H. Admin.	2.0
	(9.5)

Equipment

For FY81 and only that year the estimated cost to equip the 2 R-12 positions would be:

2 desks 70 X 36	\$370 ea.
2 credenza 19 X 36	295 ea.
2 file cabinets	172 ea.
2 chairs posture	91 ea.
2 typewriters	705 ea.
2 type tables	62 ea.
	<u>\$3,392 Total</u>

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/5/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 245

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act terminating the existence of the Board of
7 Dispensing Opticians on January 1, 1981 and reassigning
8 its responsibilities to the Department of Commerce and
9 Economic Development; and providing for an effective
10 date."

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

12 * Section 1. TERMINATION OF BOARD OF DISPENSING OPTICIANS. Notwithstand-
13 ing the provisions of AS 08.03.010, the Board of Dispensing Opticians will
14 continue in existence until January 1, 1981, and after that date the Depart-
15 ment of Commerce and Economic Development will have jurisdiction over the
16 licensing of dispensing opticians under the provisons of AS 08.71.005 -
17 08.71.240. During the period until January 1, 1981, the members of the board
18 will facilitate the orderly transfer of functions and responsibilities of the
19 board to the department. Nothing in this Act or AS 08.03.010 reduces or
20 limits the authority of the board under AS 08.71.010 - 08.71.240 before
21 January 1, 1981.

22 * Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

23 (b) This chapter applies to the responsibilities of the department
24 over licensing and regulation of dispensing opticians (AS 08.71.005).

25 * Sec. 3. AS 08.01.050(a)(19) is amended to read:

26 (19) provide investigative services to the boards established
27 under AS 08.20, AS 08.32, AS 08.36, AS 08.64, AS 08.68, [AS 08.71,]
28 AS 08.72, AS 08.80, AS 08.84, and AS 08.86 for the purpose of assisting
29 those boards in matters of professional discipline.

1 * Sec. 4. AS 08.01.050(a) is amended by adding a new paragraph to read:
2 (20) provide investigative services in matters of professional
3 discipline for the profession established under AS 08.71.

4 * Sec. 5. AS 08.01.050(b) is amended to read:

5 (b) The form and content of a license [,] authorized under AS 08
6 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing
7 renewal of a license, shall be determined by the department after con-
8 sultation with and consideration of the views of any [THE] board con-
9 cerned.

10 * Sec. 6. AS 08.71 is amended by adding a new section to read:

11 Sec. 08.71.005. AUTHORITY OF DEPARTMENT. The department has
12 jurisdiction over the licensing and the practice of dispensing opticians
13 under this chapter.

14 * Sec. 7. AS 08.71.050 is amended to read:

15 Sec. 08.71.050. DEPARTMENTAL [BOARD] REGULATIONS. The department
16 [BOARD] may adopt regulations:

17 (1) necessary or advisable to carry out the provisions of
18 this chapter and which help to assure the competency of dispensing
19 opticians and prevent conduct on their part which would tend to do harm
20 to the visual health of the public;

21 (2) governing the practice of dispensing opticians;

22 (3) specifying the subject matter to be covered in examina-
23 tions for dispensing opticians.

24 * Sec. 8. AS 08.71.070 is amended to read:

25 Sec. 08.71.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
26 The department [BOARD] shall comply with the Administrative Procedure
27 Act (AS 44.62).

28 * Sec. 9. AS 08.71.080 is amended to read:

29 Sec. 08.71.080. LICENSE REQUIRED. No person may act as a dis-

1 dispensing optician in the state unless he is licensed under this chapter.
2 In order to be licensed under this chapter, a person shall pass an
3 examination given by the department [BOARD], unless he is eligible for
4 licensing without examination under AS 08.71.150. A license shall be
5 issued for (1) the dispensing of contact lenses, or (2) the dispensing
6 of other lenses, eyeglasses, spectacles, artificial eyes, and their
7 appurtenances, or (3) both. The department [BOARD] shall by endorsement
8 on the license designate for which aspect of dispensing opticianry the
9 license is issued. The department [BOARD] shall license successful
10 examinees.

11 * Sec. 10. AS 08.71.090 is amended to read:

12 Sec. 08.71.090. CONTENT OF EXAMINATION. To be licensed as a
13 dispensing optician a person, unless eligible for licensing without
14 examination under AS 08.71.150, shall pass an examination given by the
15 department [BOARD]. At the discretion of the department [BOARD], the
16 examination may test orally, in writing, or otherwise, knowledge and
17 skills in any or all of the following subjects: optics, anatomy,
18 laboratory technology, ophthalmic dispensing, contact lens technology,
19 technical mathematics and physics, and business concepts of optical dis-
20 pensing.

21 * Sec. 11. AS 08.71.100 is amended to read:

22 Sec. 08.71.100. ADMINISTRATION OF EXAMINATION. The department
23 [BOARD] shall offer an examination at least once a year. Examinations
24 shall be administered so that one who grades the written part of the
25 examination does not know whose paper he is grading.

26 * Sec. 12. AS 08.71.130(c) and (d) are amended to read:

27 (c) If the license remains lapsed for more than one year, the
28 department [BOARD] may require the applicant to be examined under AS 08.
29 71.090.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

1 pensing optician in the state unless he is licensed under this chapter.
2 In order to be licensed under this chapter, a person shall pass an
3 examination given by the department [BOARD], unless he is eligible for
4 licensing without examination under AS 08.71.150. A license shall be
5 issued for (1) the dispensing of contact lenses, or (2) the dispensing
6 of other lenses, eyeglasses, spectacles, artificial eyes, and their
7 appurtenances, or (3) both. The department [BOARD] shall by endorsement
8 on the license designate for which aspect of dispensing opticianry the
9 license is issued. The department [BOARD] shall license successful
10 examinees.

11 * Sec. 10. AS 08.71.090 is amended to read:

12 Sec. 08.71.090. CONTENT OF EXAMINATION. To be licensed as a
13 dispensing optician a person, unless eligible for licensing without
14 examination under AS 08.71.150, shall pass an examination given by the
15 department [BOARD]. At the discretion of the department [BOARD], the
16 examination may test orally, in writing, or otherwise, knowledge and
17 skills in any or all of the following subjects: optics, anatomy,
18 laboratory technology, ophthalmic dispensing, contact lens technology,
19 technical mathematics and physics, and business concepts of optical dis-
20 pensing.

21 * Sec. 11. AS 08.71.100 is amended to read:

22 Sec. 08.71.100. ADMINISTRATION OF EXAMINATION. The department
23 [BOARD] shall offer an examination at least once a year. Examinations
24 shall be administered so that one who grades the written part of the
25 examination does not know whose paper he is grading.

26 * Sec. 12. AS 08.71.130(c) and (d) are amended to read:

27 (c) If the license remains lapsed for more than one year, the
28 department [BOARD] may require the applicant to be examined under AS 08.
29 71.090.

1 (d) Before a license may be renewed the licensee shall submit to
2 the department [BOARD] evidence of 15 hours of continuing competence in
3 optical dispensing as prescribed by regulations of the department
4 [BOARD].

5 * Sec. 13. AS 08.71.150 is amended to read:

6 Sec. 08.71.150. ISSUANCE OF LICENSE BY RECIPROCITY. An applicant
7 who has been licensed and has been practicing as a dispensing optician
8 in a state, territory, district or possession of the United States which
9 has requirements for licensing and gives reciprocal rights equivalent to
10 those of this state, and who otherwise meet the requirements of AS 08.-
11 71.110, shall be licensed by the department [BOARD] without examination.

12 * Sec. 14. AS 08.71.160(a) is amended to read:

13 (a) A person may be employed by a licensed dispensing optician as
14 an apprentice. An apprentice shall be designated as such in the records
15 of the department [BOARD] at the request of a licensed physician,
16 optometrist or dispensing optician and shall be in training and under
17 the direct supervision of a licensed physician, optometrist or dis-
18 pensing optician. No apprentice may be employed under this section for
19 longer than six years unless the department [BOARD] determines that an
20 apprentice is prevented by circumstances beyond his control from obtain-
21 ing a license as a dispensing optician within that time.

22 * Sec. 15. AS 08.71.170 is amended to read:

23 Sec. 08.71.170. GROUNDS FOR REVOCATION, SUSPENSION OR DENIAL OF
24 LICENSE. The department [BOARD], after compliance with the Administra-
25 tive Procedure Act (AS 44.62), may revoke, suspend or deny the license
26 of a person who

- 27 (1) has been convicted of a felony involving moral turpitude;
28 (2) is addicted to the use of alcohol or any other drug;
29 (3) has used advertising, whether printed, radio, display, or

1 of any other nature, which is fraudulent, misleading or inaccurate in
2 any material particular, or misrepresents in any way goods, services or
3 credit terms, values, policies, services or the nature or form of the
4 business conducted;

5 (4) has practiced fraud or deception in his application for
6 or in his examination for a license;

7 (5) has used the word "licensed", "registered", or any of
8 their synonyms publicly, except as provided in AS 08.71.140;

9 (6) has displayed or published directly or indirectly by any
10 means, a price, terms of payment, or a discount, or a policy or practice
11 of generally underselling competitors, or any reference to the benefits
12 available to the subscribers to any prepaid health plan;

13 (7) has participated in the division, assignment, rebate or
14 refund of fees to a physician or optometrist in consideration of patient
15 referrals;

16 (8) has bartered or given away as premiums in any manner
17 either on his own account or as agent or representative for another
18 person, firm or corporation, any eyeglasses, spectacles, lenses or
19 frames;

20 (9) has advertised the "free examinations of eyes", "free
21 consultation", "consultation without obligation", "free advice", or any
22 words or phrases of similar import which convey the impression to the
23 public that eyes are examined free or are of a character tending to
24 deceive or mislead the public, or are in the nature of "bait advertis-
25 ing";

26 (10) has employed either directly or indirectly any person
27 commonly known as a "capper" or a "steerer" to obtain business;

28 (11) has solicited or employed any person to solicit from
29 house to house;

1 (12) has used advertising offering a service to the public for
2 which he is not licensed under this chapter; however, nothing in this
3 section prohibits the optician from advertising merchandise for which
4 the license which is the subject of this chapter is not required;

5 (13) has engaged in a group contract for the duplication of
6 eyeglasses or spectacles without a written prescription from an optome-
7 trist or physician; [OR]

8 (14) has advertised the services of any other segment of the
9 healing arts; [.]

10 (15) denies care or treatment to a patient or person seeking
11 assistance from the optician if the sole reason for the denial is the
12 failure or refusal of the patient to execute an agreement to arbitrate a
13 dispute, controversy, or issue arising out of the care or treatment, as
14 provided in AS 09.55:535(a).

15 * Sec. 16. AS 08.71.175 is amended to read:

16 Sec. 08.71.175. LIMITS OR CONDITIONS ON LICENSE; DISCIPLINE. (a)
17 In addition to action under AS 08.71.170, upon a finding that by reason
18 of demonstrated problems of competence, experience, education, or health
19 the authority to practice as a dispensing optician under this chapter
20 should be limited or conditioned or the practitioner disciplined, the
21 department [BOARD] may reprimand, censure, place on probation, restrict
22 practice by procedure or facility, require additional education or
23 training, or revoke or suspend a license.

24 (b) The Administrative Procedure Act (AS 44.62) applies to any
25 action taken by the department [BOARD] under this section.

26 * Sec. 17. AS 08.71.220(a) and (b) are amended to read:

27 (a) Within 60 days after July 1, 1973, a person who has been
28 engaged in practice in Alaska as a dispensing optician for a period of
29 at least six months immediately preceding July 1, 1973 shall be issued a

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

license without examination upon the payment of a fee of \$50 and a certification to the department [BOARD] under oath that he is of good moral character and that

(1) he has been engaged as a dispensing optician for not less than 3,000 hours; or

(2) he has been engaged as a dispensing optician in contact lens fitting for not less than 6,000 hours.

(b) If a person qualifies for a license under (a)(1) or (2) of this section, the department [BOARD] shall by endorsement on the license designate for which aspect of dispensing opticianry the license is issued. If a person qualifies for a license under (a)(1) and (2) of this section, the department [BOARD] shall by endorsement on the license so designate.

* Sec. 18. REPEALER. AS 08.01.010(19), AS 08.03.010(a)(5), AS 08.71.-010 - 08.71.040, 08.71.060, and 08.71.240(1) are repealed.

* Sec. 19. EFFECTIVE DATE. Section 1 of this Act takes effect immediately in accordance with AS 01.10.070(c). Sections 2 - 18 of this Act take effect January 1, 1981.

Introduced: 3/14/79
Referred: Health, Education
& Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 245

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Board of Dis-
7 dispensing Opticians; and providing for an effective
8 date."

9

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

10

* Section 1. AS 08.03.010(c) is repealed and reenacted to read:

11

(c) The following board has the termination date provided by this
12 subsection: Board of Dispensing Opticians (AS 08.71.010) -- June 30,
13 1980.

14

* Sec. 2. AS 08.03 is amended by adding a new section to read:

15

Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
16 REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-
17 03.010 shall continue in existence until June 30 of the next succeeding
18 year for the purpose of concluding its affairs. During this period,
19 termination does not reduce or otherwise limit the powers or authority
20 of each board. One year after the date of termination, a board not
21 continued shall cease all activities.

22

(b) The termination, dissolution, continuation or reestablishment
23 of a regulatory board shall be governed by the legislative oversight
24 procedures of AS 44.66.050.

25

(c) A board scheduled for termination under this chapter may be
26 continued or reestablished by the legislature for a period not to exceed
27 four years.

28

* Sec. 3. AS 08.03.010(a)(5), (d) and (e) are repealed.

29

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith
Signature of Camera Operator

3/23/90
Date

Introduced: 3/14/79
Referred: Health, Education
& Social Services

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 246

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of Dental
7 Examiners; and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c) is repealed and reenacted to read:

10 (c) The following board has the termination date provided by this
11 subsection: Board of Dental Examiners (AS 08.36.010) -- June 30, 1983.

12 * Sec. 2. AS 08.03 is amended by adding a new section to read:

13 Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
14 REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-
15 03.010 shall continue in existence until June 30 of the next succeeding
16 year for the purpose of concluding its affairs. During this period,
17 termination does not reduce or otherwise limit the powers or authority
18 of each board. One year after the date of termination, a board not
19 continued shall cease all activities.

20 (b) The termination, dissolution, continuation or reestablishment
21 of a regulatory board shall be governed by the legislative oversight
22 procedures of AS 44.66.050.

23 (c) A board scheduled for termination under this chapter may be
24 continued or reestablished by the legislature for a period not to exceed
25 four years.

26 * Sec. 3. AS 08.03.010(a)(2), (d) and (e) are repealed.

27 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).

29

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

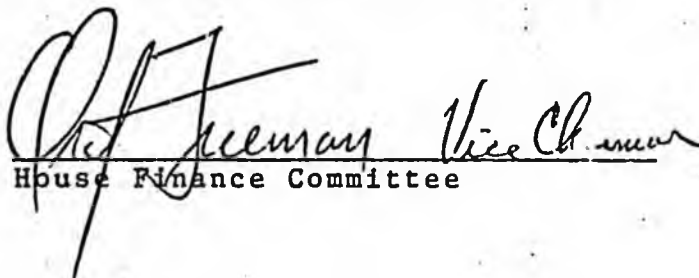
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


House Finance Committee

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST House Committee Substitute for Senate Bill 241, 242, 243, 244, 245,
Bill/Resolution No. 246, 247, and 248. House Bill 446 and 447.
Title Acts relating to Sunset Legislation
Requested by Finance Committee Date 4/24/79

II. FISCAL DETAIL
Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	23.4	50.0	52.7	56.0
200 TRAVEL	-0-	-0-	(9.5)	(20.1)	(21.3)	(22.6)
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	3.4	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	17.3	29.9	31.4	33.4

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	17.3	29.9	31.4	33.4
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	2	2	2
PART TIME	-0-	-0-	2	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis

IV. DATE 4/24/79

PREPARED BY Don Hostak, Director
AGENCY Occupational Licensing
PHONE 465-2534

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

In regard to the termination of seven health care boards effective January 1, 1981 and the resulting assumption of the licensing function by the Division of Occupational Licensing, it is difficult to estimate fiscal impact at this time. However, overall results are estimated to be:

1. Elimination of board meetings
(travel and per diem)
2. Elimination of Practical examinations on:
 - a. Chiropractors
 - b. Optometrists
 - c. Veterinarians
 - d. Dispensing Opticians
3. Licensure would be by
 - a. National examination (4 boards currently use)
 - b. State examination (7 boards currently use)
 - c. Educational requirements; or
 - d. Endorsement

The period prior to termination will be used to work with the boards in updating statutes and regulations in order to define set criteria for licensure and regulation of each profession. If problems arise after transfer of this function, assistance could be obtained from State Professional Associations and/or former board members.

Two additional support personnel (R-12's) would be needed to complement current staff. License examiners would be relieved of some duties currently being performed for board members. These duties would be replaced by detailed review and licensure of applicants.

Analysis:

Personnel Services

For FY81 (2) full time positions for only half the year at R-12 with Benefits = \$3,028, FICA = \$1588 and Health Insurance = \$1716 \$23,444

For FY 82 and every year thereafter (2) full time positions for full years at R-12 with Benefits, FICA and Health Insurance \$49,701

A 6% inflation rate is used for FY83 and 84.

Travel

Travel expenditures were estimated for FY80. To estimate travel savings for FY81 half of FY80 figures were used being as the boards will continue through half of the year. The savings for FY82, FY83 and FY84 will be double of FY81 plus a 6% inflation rate.

Travel for FY81 by board is estimated to be:

Psychology	2.2
Nursing	-0-
Dental	-0-
Chiropractor	1.6
Veterinary	1.1
Phy. Therapy	.9
Disp. Optician	.8
Optometry	.9
Pharmacy	-0-
Medical	-0-
Nursing H. Admin.	2.0
	(9.5)

Equipment

For FY81 and only that year the estimated cost to equip the 2 R-12 positions would be:

2 desks 70 X 36	\$370 ea.
2 credenza 19 X 36	295 ea.
2 file cabinets	172 ea.
2 chairs posture	91 ea.
2 typewriters	706 ea.
2 type tables	62 ea.
	\$3,392 Total

1 Sec. 08.36.025. LIMITATION ON TERM OF SERVICE. A board member may
2 not serve more than two consecutive terms. Time served in filling an
3 unexpired vacancy of two years or less is not considered a term.

4 Sec. 08.36.205. LICENSING BY ENDORSEMENT. The board may waive the
5 examination requirement for an applicant who meets the requirements of
6 AS 08.36.110, pays the required fee, and has an active license from a
7 board of dental examiners established under the laws of a state or
8 territory of the United States which has requirements for licensing
9 equivalent to those of this state.

10 * Sec. 5. AS 08.03.010(c) is amended to read:

11 (c) Upon termination, each board listed in [(a) AND (b) OF] this
12 section shall continue in existence until June 30 of the next succeeding
13 year for the purpose of concluding its affairs. During this period,
14 termination does not reduce or otherwise limit the powers or authority
15 of each board. One year after the date of termination, a board not
16 continued shall cease all activities.

17 * Sec. 6. An incumbent member does not lose membership on the board
18 because of the reallocation of the membership enacted in sec. 2 of this Act,
19 but all appointments after the effective date of this Act must be consistent
20 with AS 08.36.010.

21 * Sec. 7. AS 08.03.010(a)(2) is repealed.

22 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
23 070(c).



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

COMMITTEE REPORT

HOUSE

FURTHER:

April 5, 1979

Date: 4-24-79

Mr. Speaker:

The Committee on FINANCE has had SB 247

"An Act continuing the existence of the Board of Veterinary Examiners; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^{resource} CS for SB 247 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Freeman Do Pass

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Smith - No Rec

Rogers - No Rec

Montgomery - Do Not Pass

Freeman
Vice CHAIRMAN

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/5/79
Referred: Finance

1 IN THE SENATE BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 247

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act terminating the existence of the Board of
7 Veterinary Examiners on January 1, 1981 and reassigning
8 its responsibilities to the Department of Commerce and
9 Economic Development; and providing for an effective
10 date."

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

12 * Section 1. TERMINATION OF BOARD OF VETERINARIAN EXAMINERS. Notwith-
13 standing the provisions of AS 08.03.010, the Board of Veterinary Examiners
14 will continue in existence until January 1, 1981, and after that date the
15 Department of Commerce and Economic Development will have jurisdiction over
16 the licensing of veterinarians and the practice of veterinary medicine,
17 surgery, or dentistry under the provisions of AS 08.98.005 - 08.98.250.
18 During the period until January 1, 1981, the members of the board will
19 facilitate the orderly transfer of functions and responsibilities of the
20 board to the department. Nothing in this Act or AS 08.03.010 reduces or
21 limits the authority of the board under AS 08.98.010 - 08.98.250 before
22 January 1, 1981.

23 * Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

24 (b) This chapter applies to the responsibilities of the department
25 over licensing and regulations of veterinarians (AS 08.98.010).

26 * Sec. 3. AS 08.01.050(b) is amended to read:

27 (b) The form and content of the license [,] authorized under AS 08
28 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing
29 renewal of a license, shall be determined by the department after con-

1 sultation with and consideration of the views of any [THE] board con-
2 cerned.

3 * Sec. 4. AS 08.98 is amended by adding a new section to read:

4 Sec. 08.98.005. AUTHORITY OF DEPARTMENT. The department has
5 jurisdiction over the licensing of veterinarians and the practice of
6 veterinary medicine, surgery, and dentistry under this chapter.

7 * Sec. 5. AS 08.98.050 is amended to read:

8 Sec. 08.98.050. DUTIES OF THE DEPARTMENT [BOARD]. The department
9 [BOARD] shall

10 (1) pass on qualifications of applicants for licenses and
11 issue licenses to those who qualify;

12 (2) prepare and grade examinations, provided that the depart-
13 ment [BOARD] may use examinations prepared by the National Board of
14 Veterinary Examiners;

15 (3) after hearing, have the authority to suspend or revoke
16 the license of a licensed veterinarian who

17 (A) obtained his license by fraud, misrepresentation, or
18 deception;

19 (B) is chronically drunk or is a drug addict;

20 (C) makes untruthful statements about his professional
21 ability, to solicit business;

22 (D) distributes alcohol or drugs except as required by
23 the practice of veterinary medicine, surgery, or dentistry;

24 (E) in his professional capacity, conducts himself in a
25 way that indicates he is not a competent veterinarian;

26 (F) is convicted of a felony or any crime involving
27 moral turpitude;

28 (G) falsifies an official state or federal certificate
29 relating to veterinary medicine.

1 * Sec. 6. AS 08.98.060 is amended to read:

2 Sec. 08.98.060. DEPARTMENT [BOARD] REGULATIONS. (a) The depart-
3 ment [BOARD] shall adopt procedural regulations describing how a person
4 applies for and takes an examination under this chapter.

5 (b) The department [BOARD] shall adopt substantive regulations

6 (1) defining conduct which, if engaged in by a veterinarian,
7 is evidence of incompetence;

8 (2) specifying approved schools under AS 08.98.170(1);

9 (3) specifying the subject matter to be covered in an exam-
10 ination for veterinarians.

11 * Sec. 7. AS 08.98.130 is amended to read:

12 Sec. 08.98.130. EXAMINATION. A person who passes the examination
13 given by the department [BOARD] is entitled to be licensed as a veteri-
14 narian.

15 * Sec. 8. AS 08.98.150 is amended to read:

16 Sec. 08.98.150. ADMINISTRATION OF EXAMINATION. The department
17 [BOARD] shall offer examinations at least once a year. Examinations
18 shall be so administered that, whenever possible, one who grades a
19 written examination does not know whose paper he is grading.

20 * Sec. 9. AS 08.98.170(1) and (3) are amended to read:

21 (1) was graduated from a school of veterinary medicine
22 approved by the department [BOARD];

23 (3) has completed application forms and returned them to the
24 department [BOARD];

25 * Sec. 10. AS 08.98.210 is amended to read:

26 Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A veterinarian in good
27 standing in a veterinary association of another state or territory or
28 the District of Columbia which licenses veterinarians to practice
29 veterinary medicine may be licensed without examination and otherwise

1 upon substantially the same terms and conditions as are fixed in the
2 jurisdiction from which he has come for the licensure of a veterinarian
3 from this state. As a prerequisite to licensure the department [BOARD]
4 shall require a veterinarian to take and pass an examination, unless the
5 applicant has

6 (1) passed a state veterinarian examination;

7 (2) engaged in the active practice of veterinary medicine for
8 at least five out of the previous seven years before filing the applica-
9 tion excluding time spent in the military service of the United States;

10 (3) graduated from an accredited school of veterinary
11 medicine;

12 (4) met the character requirements established by the depart-
13 ment [BOARD].

14 * Sec. 11. AS 08.98.230 is amended to read:

15 Sec. 08.98.230. INJUNCTION. When it appears that a person has
16 engaged in or is about to engage in an act constituting a violation of
17 AS 08.98.120, the department [BOARD, THROUGH ITS EXECUTIVE SECRETARY,]
18 shall bring an action in the superior court to enjoin the act and to
19 enforce compliance with AS 08.98.120.

20 * Sec. 12. REPEALER. AS 08.01.010(14), AS 08.03.010(a)(8), AS 08.98.-
21 010 - 08.98.040, 08.98.070 - 08.98.080, 08.98.100, and 08.98.250(2) are
22 repealed.

23 * Sec. 13. EFFECTIVE DATE. Section 1 of this Act takes effect immedi-
24 ately in accordance with AS 01.10.070(c). Sections 2 - 12 of this Act take
25 effect January 1, 1981.

HOUSE JOURNAL

LETTER OF INTENT

FOR

HCS FOR SB 241, 242, 243, 244, 245, 247 & 248
and
SB 246 and HB 446 & 447

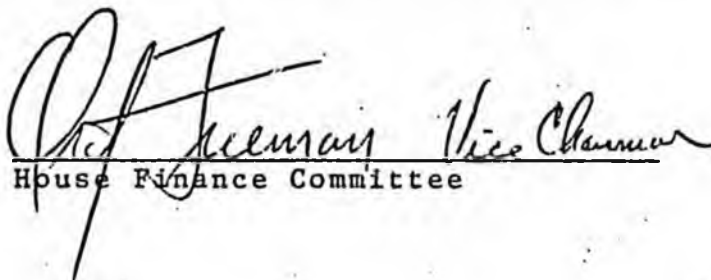
(SUNSET LEGISLATION)

When the House Finance Committee considered and approved its version of the Fiscal Year 1980 budget it did not have in its possession the several measures constituting the "Sunset" package for various boards and commissions. As a result the question of staffing to provide improved public service by the surviving boards was not addressed. The Senate in its version of the budget approved the addition of the following positions in the Occupational Licensing program:

Administrative Support Tech II, Juneau	18,700
Clerk Typist III, Anchorage	18,700
Special Investigator, Anchorage	<u>31,900</u>
	69,300

The House Finance Committee now wishes to support before the full House and the House conferees on the budget a request that these new positions be approved for inclusion in the Fiscal Year 1980 budget for Occupational Licensing.

The Division of Occupational Licensing shall report to the Second Session of the Eleventh Legislature the results of its efforts to correct practices found objectionable and meet requirements of the various legislative audits and committee reports pertaining to boards and commissions. This requirement applies equally to those boards approved for continuation this year and those under review during the budget year.


Dick Jensen, Vice Chairman
House Finance Committee

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST House Committee Substitute for Senate Bill 241, 242, 243, 244, 245,
Bill/Resolution No. 246, 247, and 248. House Bill 446 and 447.
Title Acts relating to Sunset Legislation
Requested by Finance Committee Date 4/24/79

II. FISCAL DETAIL
Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	23.4	50.0	52.7	55.0
200 TRAVEL	-0-	-0-	(9.5)	(20.1)	(21.3)	(22.6)
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	3.4	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	17.3	29.9	31.4	33.4

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	17.3	29.9	31.4	33.4
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	2	2	2
PART TIME	-0-	-0-	2	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis

IV. DATE 4/24/79

PREPARED BY Don Mostak, Director
AGENCY Occupational Licensing
PHONE 465-2534

Original: Legislative Finance
cc: Budget and Management
Date Entered (First Legislator Named)

In regard to the termination of seven health care boards effective January 1, 1981 and the resulting assumption of the licensing function by the Division of Occupational Licensing, it is difficult to estimate fiscal impact at this time. However, overall results are estimated to be:

1. Elimination of board meetings
(travel and per diem)
2. Elimination of Practical examinations on:
 - a. Chiropractors
 - b. Optometrists
 - c. Veterinarians
 - d. Dispensing Opticians
3. Licensure would be by
 - a. National examination (4 boards currently use)
 - b. State examination (7 boards currently use)
 - c. Educational requirements; or
 - d. Endorsement

The period prior to termination will be used to work with the boards in updating statutes and regulations in order to define set criteria for licensure and regulation of each profession. If problems arise after transfer of this function, assistance could be obtained from State Professional Associations and/or former board members.

Two additional support personnel (R-12's) would be needed to complement current staff. License examiners would be relieved of some duties currently being performed for board members. These duties would be replaced by detailed review and licensure of applicants.

Analysis:

Personnel Services

For FY81 (2) full time positions for only half the year at R-12 with Benefits = \$3,028, FICA = \$1588 and Health Insurance = \$1716 \$23,444

For FY 82 and every year thereafter (2) full time positions for full years at R-12 with Benefits, FICA and Health Insurance \$49,701

A 6% inflation rate is used for FY83 and 84.

Travel

Travel expenditures were estimated for FY80. To estimate travel savings for FY81 half of FY80 figures were used being as the boards will continue through half of the year. The savings for FY82, FY83 and FY84 will be double of FY81 plus a 6% inflation rate.

Travel for FY81 by board is estimated to be:

Psychology	2.2
Nursing	-0-
Dental	-0-
Chiropractor	1.6
Veterinary	1.1
Phy. Therapy	.9
Disp. Optician	.8
Optometry	.9
Pharmacy	-0-
Medical	-0-
Nursing H. Admin.	2.0
	(9.5)

Equipment

For FY81 and only that year the estimated cost to equip the 2 R-12 positions would be:

2 desks 70 X 36	\$370 ea.
2 credenza 19 X 36	295 ea.
2 file cabinets	172 ea.
2 chairs posture	91 ea.
2 typewriters	706 ea.
2 type tables	62 ea.
	<u>\$3,392 Total</u>

Introduced: 3/14/79
Referred: Health, Education and
Social Services and Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 247

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Board of Veter-
7 inary Examiners; and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c) is repealed and re-enacted to read:

10 (c) The following board has the termination date provided by this
11 subsection: Board of Veterinary Examiners (AS 08.98.010) -- June 30,
12 1983.

13 * Sec. 2. AS 08.03 is amended by adding a new section to read:

14 Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
15 REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-
16 03.010 shall continue in existence until June 30 of the next succeeding
17 year for the purpose of concluding its affairs. During this period,
18 termination does not reduce or otherwise limit the powers or authority
19 of each board. One year after the date of termination, a board not
20 continued shall cease all activities.

21 (b) The termination, dissolution, continuation or reestablishment
22 of a regulatory board shall be governed by the legislative oversight
23 procedures of AS 44.66.050.

24 (c) A board scheduled for termination under this chapter may be
25 continued or reestablished by the legislature for a period not to exceed
26 four years.

27 * Sec. 3. AS 08.03.010(a)(8), (d) and (e) are repealed.

28 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).