

HOUSE BILL NO. 314

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/9/24

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to occupational licensing fees; and providing for an effective date."**

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

3 * **Section 1.** AS 08.01.065(a) is amended to read:

4 (a) Except for business licenses, the department shall adopt regulations that
5 establish the amount and manner of payment of application fees, examination fees,
6 license fees, registration fees, permit fees, [INVESTIGATION FEES,] and all other
7 fees as appropriate for the occupations covered by this chapter.

8 * **Sec. 2.** AS 08.01.065(c) is amended to read:

9 (c) Except as provided in (f) - (k) of this section, the department shall establish
10 fee levels under (a) of this section so that the total amount of fees collected for an
11 occupation approximately equals the actual regulatory costs for the occupation. The
12 department shall annually review each fee level to determine whether the regulatory
13 costs of each occupation are approximately equal to fee collections related to that
14 occupation. If the review indicates that an occupation's fee collections and regulatory
15 costs are not approximately equal, the department shall calculate fee adjustments and

1 adopt regulations under (a) of this section to implement the adjustments. In January of
 2 each year, the department shall report on all fee levels and revisions for the previous
 3 year under this subsection to the office of management and budget. If a board
 4 regulates an occupation covered by this chapter, the department shall consider the
 5 board's recommendations concerning the occupation's fee levels and regulatory costs
 6 before revising fee schedules to comply with this subsection. [IN THIS
 7 SUBSECTION, "REGULATORY COSTS" MEANS COSTS OF THE
 8 DEPARTMENT THAT ARE ATTRIBUTABLE TO REGULATION OF AN
 9 OCCUPATION PLUS

10 (1) ALL EXPENSES OF THE BOARD THAT REGULATES THE
 11 OCCUPATION IF THE BOARD REGULATES ONLY ONE OCCUPATION;

12 (2) THE EXPENSES OF A BOARD THAT ARE ATTRIBUTABLE
 13 TO THE OCCUPATION IF THE BOARD REGULATES MORE THAN ONE
 14 OCCUPATION.]

15 * **Sec. 3.** AS 08.01.065 is amended by adding a new subsection to read:

16 (l) In this section, "regulatory costs" means costs of the department that are
 17 attributable to regulation of an occupation, including all expenses of a board that
 18 regulates the occupation if the board regulates only one occupation or the expenses of
 19 a board that are attributable to the occupation if the board regulates more than one
 20 occupation. In this section, "regulatory costs" does not include costs attributable to
 21 disciplinary investigations and actions involving a person engaged in an unlicensed
 22 practice or legal and actual costs associated with complaints, hearings, mediation, and
 23 settlement.

24 * **Sec. 4.** AS 08.13.185(b) is amended to read:

25 (b) The department shall set fees under AS 08.01.065 for examination [AND
 26 INVESTIGATION].

27 * **Sec. 5.** AS 08.61.090 is amended to read:

28 **Sec. 08.61.090. Fees.** The department shall set fees under AS 08.01.065 for
 29 application, license issuance, **and** license renewal [, AND INVESTIGATION] under
 30 this chapter.

31 * **Sec. 6.** AS 08.62.040(a) is amended to read:

1 (a) The board shall

2 (1) provide for the maintenance of efficient and competent pilotage
3 service on the inland and coastal water of and adjacent to the state to assure the
4 protection of shipping, the safety of human life and property, and the protection of the
5 marine environment;

6 (2) consistent with the law, adopt regulations, subject to AS 44.62
7 (Administrative Procedure Act), establishing the qualifications of and required
8 training for pilots and providing for the examination of pilots and the issuance of
9 original or renewal pilot licenses to qualified persons;

10 (3) keep a register of licensed pilots, licensed deputy pilots, and
11 agents;

12 (4) adopt regulations establishing

13 (A) pilotage regions in the state;

14 (B) the criteria for concurring in the amount of license,
15 application, training, [INVESTIGATION,] and audit fees proposed by the
16 department under AS 08.01.065;

17 (C) the criteria for recognizing pilot organizations under
18 AS 08.62.175;

19 (5) make available, upon request, copies of this chapter and the
20 regulations adopted under this chapter;

21 (6) review and approve the articles, bylaws, and rules of pilot
22 organizations;

23 (7) audit a pilot organization or an individual pilot as necessary to
24 implement and enforce this chapter;

25 (8) review and approve training programs conducted by pilot
26 organizations; the board shall cooperate with the Department of Environmental
27 Conservation in the review and approval of training programs for pilots of tank
28 vessels;

29 (9) establish and publish the dates of future license examinations; and

30 (10) approve or disapprove rates for pilotage services as provided
31 under AS 08.62.046.

1 * **Sec. 7.** AS 08.62.140(a) is amended to read:

2 (a) The department shall set fees under AS 08.01.065 for applications,
3 licenses, agent registrations, [INVESTIGATIONS,] audits, and training.

4 * **Sec. 8.** AS 08.70.150 is amended to read:

5 **Sec. 08.70.150. Fees.** The department shall set fees under AS 08.01.065 for
6 examination and **evaluation** [INVESTIGATION] of persons applying for a license,
7 initial license, and license renewal.

8 * **Sec. 9.** AS 08.80.160 is amended to read:

9 **Sec. 08.80.160. Fees.** The Department of Commerce, Community, and
10 Economic Development shall set fees under AS 08.01.065 for the following:

- 11 (1) examination;
- 12 (2) reexamination;
- 13 (3) **evaluation** [INVESTIGATION] for licensing by license transfer;
- 14 (4) pharmacist license;
- 15 (5) temporary license;
- 16 (6) pharmacy technician license;
- 17 (7) pharmacy intern license;
- 18 (8) emergency permit;
- 19 (9) license amendment or replacement;
- 20 (10) licensure of a facility classified under AS 08.80.157(b).

21 * **Sec. 10.** AS 08.98.190 is amended to read:

22 **Sec. 08.98.190. Fees.** The department shall set fees under AS 08.01.065 for the
23 following:

- 24 (1) application;
- 25 (2) examination;
- 26 (3) **evaluation** [INVESTIGATION] of credentials;
- 27 (4) license;
- 28 (5) license renewal;
- 29 (6) temporary license;
- 30 (7) temporary permit.

31 * **Sec. 11.** This Act takes effect July 1, 2024.