

AMENDMENT # (

OFFERED IN THE HOUSE
TO: HB 385

BY REPRESENTATIVE RUFFRIDGE

1 Page 2, lines 11 - 12:

2 Delete "gross income the licensee earned as a result of holding the license"

3 Insert "economic hardship the licensee experienced"

4

5 Page 2, lines 12 - 18:

6 Delete "The department shall collect from a licensee who submits proof of the
7 licensee's gross income under this subsection the lesser of

8 (1) the total fees established under (c) and (f) - (k) of this section
9 required to be collected from the licensee for the current calendar year; or

10 (2) 20 percent of the gross income the licensee earned as a result of
11 holding the license in the previous calendar year"

12 Insert "If a licensee submits proof of economic hardship, the department shall collect
13 from the licensee only 50 percent of the total fees established under (c) and (f) - (k) of this
14 section required to be collected from the licensee in the current calendar year"

AMENDMENT

#2

REP. EASTMAN

OFFERED IN THE HOUSE
TO: HB 385

1 Page 1, line 1, following "fees":

2 Insert "; and providing for an effective date"

3

4 Page 1, line 3, through page 2, line 18:

5 Delete all material and insert:

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

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

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

12 (c) Except as provided in (f) - (m) [(f) - (k)] of this section, the department
13 shall establish fee levels under (a) of this section so that the total amount of fees
14 collected for an occupation approximately equals the actual regulatory costs for the
15 occupation. The department shall annually review each fee level to determine whether
16 the regulatory costs of each occupation are approximately equal to fee collections
17 related to that occupation. If the review indicates that an occupation's fee collections
18 and regulatory costs are not approximately equal for a reason other than fees being
19 reduced under (l) and (m) of this section, the department shall calculate fee
20 adjustments and adopt regulations under (a) of this section to implement the
21 adjustments. In January of each year, the department shall report on all fee levels and
22 revisions for the previous year under this subsection to the office of management and
23 budget. If a board regulates an occupation covered by this chapter, the department

1 shall consider the board's recommendations concerning the occupation's fee levels and
 2 regulatory costs before revising fee schedules to comply with this subsection. [IN
 3 THIS SUBSECTION, "REGULATORY COSTS" MEANS COSTS OF THE
 4 DEPARTMENT THAT ARE ATTRIBUTABLE TO REGULATION OF AN
 5 OCCUPATION PLUS

6 (1) ALL EXPENSES OF THE BOARD THAT REGULATES THE
 7 OCCUPATION IF THE BOARD REGULATES ONLY ONE OCCUPATION;

8 (2) THE EXPENSES OF A BOARD THAT ARE ATTRIBUTABLE
 9 TO THE OCCUPATION IF THE BOARD REGULATES MORE THAN ONE
 10 OCCUPATION.]

11 * **Sec. 3.** AS 08.01.065 is amended by adding new subsections to read:

12 (l) The department may not establish fee levels under (a) of this section at an
 13 amount likely to result in a decrease in the number of people licensed in an
 14 occupation. The department shall annually review whether the number of people
 15 licensed in an occupation has decreased. If the review indicates that the number has
 16 decreased, the department shall evaluate whether the amount of the fee levels
 17 established under (a) of this section are the cause of the decrease.

18 (m) The department may establish reduced fee levels under (a) of this section
 19 for the initial licensure of an active duty member of the armed forces of the United
 20 States or the spouse of an active duty member of the armed forces of the United States.

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

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

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

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

1 **Sec. 08.61.090. Fees.** The department shall set fees under AS 08.01.065 for
2 application, license issuance, **and** license renewal [, AND INVESTIGATION
3 UNDER THIS CHAPTER].

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

5 (a) The board shall

6 (1) provide for the maintenance of efficient and competent pilotage
7 service on the inland and coastal water of and adjacent to the state to assure the
8 protection of shipping, the safety of human life and property, and the protection of the
9 marine environment;

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

14 (3) keep a register of licensed pilots, licensed deputy pilots, and
15 agents;

16 (4) adopt regulations establishing

17 (A) pilotage regions in the state;

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

21 (C) the criteria for recognizing pilot organizations under
22 AS 08.62.175;

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

25 (6) review and approve the articles, bylaws, and rules of pilot
26 organizations;

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

29 (8) review and approve training programs conducted by pilot
30 organizations; the board shall cooperate with the Department of Environmental
31 Conservation in the review and approval of training programs for pilots of tank

1 vessels;

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

3 (10) approve or disapprove rates for pilotage services as provided

4 under AS 08.62.046.

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

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

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

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

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

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

15 (1) examination;

16 (2) reexamination;

17 (3) **evaluation** [INVESTIGATION] for licensing by license transfer;

18 (4) pharmacist license;

19 (5) temporary license;

20 (6) pharmacy technician license;

21 (7) pharmacy intern license;

22 (8) emergency permit;

23 (9) license amendment or replacement;

24 (10) licensure of a facility classified under AS 08.80.157(b).

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

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

28 (1) application;

29 (2) examination;

30 (3) **evaluation** [INVESTIGATION] of credentials;

31 (4) license;

- 1 (5) license renewal;
- 2 (6) temporary license;
- 3 (7) temporary permit.
- 4 * **Sec. 11.** This Act takes effect July 1, 2024."