

HOUSE BILL NO. 123

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 2/2/05

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to occupational licensing fees and receipts; extending the termination
2 dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy,
3 Professional Counselors, Psychologist and Psychological Associate Examiners, and
4 Veterinary Examiners; relating to an exemption that allows one bill to continue more
5 than one board, commission, or agency program; and providing for an effective date."

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

7 * **Section 1.** AS 08.01.065(c) is amended to read:

8 (c) **The** [EXCEPT AS PROVIDED IN (f) - (i) OF THIS SECTION, THE]
9 department shall establish fee levels under (a) of this section so that the total amount
10 of fees, **together with the fines and penalties** collected for **all occupations**
11 **regulated by a board,** [AN OCCUPATION] approximately equals the **total** actual
12 [REGULATORY] costs **of the board and the department for all occupations**
13 **regulated by that board** [FOR THE OCCUPATION]. **If the department regulates**

1 more than one occupation under another chapter of this title, the department
 2 shall establish the fee levels so that the total amount of fees, together with the
 3 finances and penalties collected by the department for all occupations regulated by
 4 the department under that chapter, approximately equals the total actual costs of
 5 the department for all of the occupations regulated by the department under that
 6 chapter. The department shall annually review each fee level to determine whether
 7 the [REGULATORY] costs for the relevant occupations [OF EACH
 8 OCCUPATION] are approximately equal to the fines, penalties, and fee collections
 9 related to those occupations [THAT OCCUPATION]. If the review indicates that the
 10 finances, penalties, and [AN OCCUPATION'S] fee collections [AND REGULATORY
 11 COSTS] are not approximately equal to the costs for the relevant occupations, the
 12 department shall calculate fee adjustments and adopt regulations under (a) of this
 13 section to implement the adjustments. In January of each year, the department shall
 14 report on all fee levels and revisions for the previous year under this subsection to the
 15 office of management and budget. If a board regulates an occupation or group of
 16 occupations covered by this chapter, the department shall consider the board's
 17 recommendations concerning occupational [THE OCCUPATION'S] fee levels and
 18 [REGULATORY] costs before revising fee schedules to comply with this subsection.
 19 [IN THIS SUBSECTION, "REGULATORY COSTS" MEANS COSTS OF THE
 20 DEPARTMENT THAT ARE ATTRIBUTABLE TO REGULATION OF AN
 21 OCCUPATION PLUS

22 (1) ALL EXPENSES OF THE BOARD THAT REGULATES THE
 23 OCCUPATION IF THE BOARD REGULATES ONLY ONE OCCUPATION;

24 (2) THE EXPENSES OF A BOARD THAT ARE ATTRIBUTABLE
 25 TO THE OCCUPATION IF THE BOARD REGULATES MORE THAN ONE
 26 OCCUPATION.]

27 * **Sec. 2.** AS 08.01.065(f) is amended to read:

28 (f) [NOTWITHSTANDING (c) OF THIS SECTION, THE DEPARTMENT
 29 SHALL ESTABLISH FEE LEVELS UNDER (a) OF THIS SECTION SO THAT
 30 THE TOTAL AMOUNT OF FEES COLLECTED BY THE STATE BOARD OF
 31 REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

1 APPROXIMATELY EQUALS THE TOTAL REGULATORY COSTS OF THE
 2 DEPARTMENT AND THE BOARD FOR ALL OCCUPATIONS REGULATED BY
 3 THE BOARD.] The department shall set [THE] fee levels **under (a) of this section**
 4 [FOR THE ISSUANCE AND RENEWAL OF A CERTIFICATE OF
 5 REGISTRATION ISSUED UNDER AS 08.48.211] so that the fee levels are the same
 6 for all occupations regulated by the **State Board of Registration for Architects,**
 7 **Engineers, and Land Surveyors under AS 08.48** [BOARD].

8 * **Sec. 3.** AS 08.01.065(g) is amended to read:

9 (g) [NOTWITHSTANDING (c) OF THIS SECTION, THE DEPARTMENT
 10 SHALL ESTABLISH FEE LEVELS UNDER (a) OF THIS SECTION SO THAT
 11 THE TOTAL AMOUNT OF FEES COLLECTED BY THE DEPARTMENT FOR
 12 ALL OCCUPATIONS REGULATED UNDER AS 08.11 APPROXIMATELY
 13 EQUALS THE TOTAL REGULATORY COSTS OF THE DEPARTMENT FOR
 14 ALL OCCUPATIONS REGULATED BY THE DEPARTMENT UNDER AS 08.11.]
 15 The department shall set [THE] fee levels **under (a) of this section** [FOR THE
 16 ISSUANCE AND RENEWAL OF LICENSES ISSUED UNDER AS 08.11] so that
 17 the fee levels are the same for all occupations regulated by the department under
 18 AS 08.11.

19 * **Sec. 4.** AS 08.01.065(i) is amended to read:

20 (i) [NOTWITHSTANDING (c) OF THIS SECTION, THE DEPARTMENT
 21 SHALL ESTABLISH FEE LEVELS UNDER (a) OF THIS SECTION SO THAT
 22 THE TOTAL AMOUNT OF FEES COLLECTED BY THE DEPARTMENT OF
 23 COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR
 24 SPECIALTY CONTRACTORS, HOME INSPECTORS, AND ASSOCIATE HOME
 25 INSPECTORS APPROXIMATELY EQUALS THE TOTAL REGULATORY
 26 COSTS OF THE DEPARTMENT FOR THOSE THREE REGISTRATION
 27 CATEGORIES.] The department shall set [THE] fee levels **under (a) of this section**
 28 [FOR THE ISSUANCE AND RENEWAL OF A CERTIFICATE OF
 29 REGISTRATION ISSUED UNDER AS 08.18] so that the fee levels are the same for
 30 **specialty contractors, home inspectors, and associate home inspectors under**
 31 **AS 08.18** [ALL THREE OF THESE REGISTRATION CATEGORIES] and so that

1 the fee level for a home inspector with a joint registration is not different from the fee
 2 level for a home inspector who does not have a joint registration. In this subsection,
 3 "joint registration" has the meaning given in AS 08.18.171.

4 * **Sec. 5.** AS 08.03.010(c)(4) is amended to read:

5 (4) Board of Barbers and Hairdressers (AS 08.13.010) - June 30, **2009**
 6 [2005];

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

8 (6) Board of Social Work Examiners (AS 08.95.010) - June 30, **2009**
 9 [2005];

10 * **Sec. 7.** AS 08.03.010(c)(15) is amended to read:

11 (15) Board of Pharmacy (AS 08.80.010) - June 30, **2009** [2005];

12 * **Sec. 8.** AS 08.03.010(c)(17) is amended to read:

13 (17) Board of Professional Counselors (AS 08.29.010) - June 30, **2009**
 14 [2005];

15 * **Sec. 9.** AS 08.03.010(c)(18) is amended to read:

16 (18) Board of Psychologist and Psychological Associate Examiners
 17 (AS 08.86.010) - June 30, **2009** [2005];

18 * **Sec. 10.** AS 08.03.010(c)(21) is amended to read:

19 (21) Board of Veterinary Examiners (AS 08.98.010) - June 30, **2009**
 20 [2005].

21 * **Sec. 11.** AS 37.05.146(c)(24) is amended to read:

22 (24) receipts of the Department of Commerce, Community, and
 23 Economic Development under **AS 08.01.065 and from fines and penalties collected**
 24 **in licensing and disciplinary actions for occupations under AS 08.01.010**
 25 [AS 08.01.065(a), (c), AND (f)];

26 * **Sec. 12.** AS 08.95.920 is repealed.

27 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
 28 read:

29 EXEMPTION FROM AS 44.66.050(e). Sections 5 - 10 of this Act are exempt from
 30 the provision of AS 44.66.050(e) that prohibits a bill from continuing the existence of more
 31 than one board, commission, or agency program.

1 * **Sec. 14.** This Act takes effect immediately under AS 01.10.070(c).