

SENATE CS FOR CS FOR HOUSE BILL NO. 28(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/23/11

Referred: Labor and Commerce

Sponsor(s): REPRESENTATIVES THOMAS, HERRON, AND FEIGE, Peggy Wilson, Tuck, Kerttula, Chenault, Lynn, Petersen, Millett, Johnson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to temporary courtesy licenses for certain nonresident professionals
2 and to a temporary exemption from fees and other licensing requirements for active
3 duty members of the armed forces."

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

5 * **Section 1.** AS 08.01 is amended by adding a new section to read:

6 **Sec. 08.01.063. Military courtesy licenses.** (a) Except as provided in (e) of
7 this section, and notwithstanding another provision of law, the department or
8 appropriate board may issue a temporary courtesy license to the spouse of an active
9 duty member of the armed forces of the United States if the spouse applies to the
10 department or appropriate board in the manner prescribed by the department or
11 appropriate board. An application must include evidence satisfactory to the department
12 or appropriate board that the applicant

13 (1) is married to and living with a member of the armed forces of the
14 United States who is on active duty and assigned to a duty station in this state under

1 official active duty military orders;

2 (2) holds a current license or certificate in another state, district, or
3 territory of the United States with requirements that the department or appropriate
4 board determines are equivalent to those established under this title for that
5 occupation;

6 (3) if required by the department or appropriate board for obtaining a
7 license in the applicant's profession, has been fingerprinted and has provided the fees
8 required by the Department of Public Safety under AS 12.62.160 for criminal justice
9 information and a national criminal history record check; the fingerprints and fees
10 shall be forwarded to the Department of Public Safety to obtain a report of criminal
11 justice information under AS 12.62 and a national criminal history record check under
12 AS 12.62.400;

13 (4) has not committed an act in any jurisdiction that would have
14 constituted grounds for the refusal, suspension, or revocation of a license or certificate
15 to practice that occupation under this title at the time the act was committed;

16 (5) has not been disciplined by a licensing or credentialing entity in
17 another jurisdiction and is not the subject of an unresolved complaint, review
18 procedure, or disciplinary proceeding conducted by a licensing or credentialing entity
19 in another jurisdiction; and

20 (6) pays any fees required under this title.

21 (b) The department or appropriate board shall expedite the procedure for
22 issuance of a license under (a) of this section.

23 (c) A temporary courtesy license issued under this section is valid for 180
24 days and may be extended at the discretion of the department or appropriate board for
25 one additional 180-day period, on application of the holder of the temporary courtesy
26 license.

27 (d) A member of the armed forces of the United States on active duty in a
28 combat zone, danger pay post, or qualified hazardous duty area, who is a licensee
29 under this title in good standing at the time of the licensee's active duty order is
30 exempt from any fees or other requirements to maintain that license or good standing
31 while the licensee is in that zone, at that post, or in that area, and for 180 days after

1 returning to the licensee's permanent duty station, if the licensee does not engage in
2 licensed practice for profit in the private sector. The licensee shall pay fees and meet
3 all other requirements for the license period beginning after the exemption ends.

4 (e) This section does not apply to the practice of law or the regulation of
5 attorneys under AS 08.08.

6 (f) In this section,

7 (1) "combat zone" has the meaning given in 26 U.S.C. 112(c)(2)
8 (Internal Revenue Code);

9 (2) "danger pay post" means a post so designated by the United States
10 Secretary of State in the Department of State Standardized Regulations for purposes of
11 danger pay under 5 U.S.C. 5928;

12 (3) "qualified hazardous duty area" means an area that during the
13 applicant's deployment is treated as if it were a combat zone for purposes of a federal
14 tax exemption under 26 U.S.C. 112 (Internal Revenue Code).