

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

SENATE CS FOR CS FOR HOUSE BILL NO. 28(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/30/11

Referred: Rules

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

SENATORS Wielechowski, Dyson, Giessel, Meyer, Ellis, Menard, Paskvan, Egan, Davis, McGuire, Thomas, Wagoner

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; authorizing temporary licenses for pawnbrokers not
4 currently licensed by a municipality; and providing for an effective date."

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

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

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

14 (1) is married to and living with a member of the armed forces of the

1 United States who is on active duty and assigned to a duty station in this state under
2 official active duty military orders;

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

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

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

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

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

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

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

28 (d) This section does not apply to the practice of law or the regulation of
29 attorneys under AS 08.08.

30 * **Sec. 2.** AS 08.01.100 is amended by adding a new subsection to read:

31 (g) A member of the armed forces of the United States on active duty in a

1 combat zone, danger pay post, or qualified hazardous duty area, who is a licensee
 2 under this title in good standing at the time of the licensee's active duty order is
 3 exempt from any fees or other requirements to maintain that license or good standing
 4 while the licensee is in that zone, at that post, or in that area. This exemption is valid
 5 for 180 days after returning to the licensee's permanent duty station, if the licensee
 6 does not engage in licensed practice for profit in the private sector. The licensee shall
 7 pay fees and meet all other requirements for the license period beginning after the
 8 exemption ends. In this subsection,

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

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

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

17 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 18 read:

19 **TRANSITION: CURRENT NONMUNICIPAL PAWNBROKERS.** (a)
 20 Notwithstanding AS 08.76.100, as enacted by sec. 5, ch. 49, SLA 2010, a person engaging in
 21 business in this state on July 1, 2011, for which a license is required by AS 08.76.100 and
 22 who does not hold a current municipal pawnbroker license on that date may continue to
 23 engage in business as a pawnbroker until December 31, 2011, without obtaining a license
 24 issued by the Department of Commerce, Community, and Economic Development if the
 25 unlicensed pawnbroker applies to the Department of Commerce, Community, and Economic
 26 Development for a temporary license on a form provided by the department before
 27 September 2, 2011. Upon receipt of the application, the Department of Commerce,
 28 Community, and Economic Development shall grant a temporary license as described in this
 29 subsection.

30 (b) A temporary license issued under this section is nonrenewable and expires on
 31 December 31, 2011.

1 (c) Notwithstanding (a) and (b) of this section, an applicant for a
2 license required by AS 08.76.100, enacted by sec. 5, ch. 49, SLA 2010, bears the
3 burden of proving eligibility for the license under AS 08.76.110.

4 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).