

CS FOR HOUSE BILL NO. 325(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/26/24

Referred: Finance

Sponsor(s): REPRESENTATIVE MINA

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

10 (c) Except as provided in (f) - (k) of this section, the department shall establish
11 fee levels under (a) of this section so that the total amount of fees collected for an
12 occupation approximately equals the actual regulatory costs for the occupation. The
13 department shall annually review each fee level to determine whether the regulatory
14 costs of each occupation are approximately equal to fee collections related to that

1 occupation. If the review indicates that an occupation's fee collections and regulatory
 2 costs are not approximately equal, the department shall calculate fee adjustments and
 3 adopt regulations under (a) of this section to implement the adjustments. In January of
 4 each year, the department shall report on all fee levels and revisions for the previous
 5 year under this subsection to the office of management and budget. If a board
 6 regulates an occupation covered by this chapter, the department shall consider the
 7 board's recommendations concerning the occupation's fee levels and regulatory costs
 8 before revising fee schedules to comply with this subsection. [IN THIS
 9 SUBSECTION, "REGULATORY COSTS" MEANS COSTS OF THE
 10 DEPARTMENT THAT ARE ATTRIBUTABLE TO REGULATION OF AN
 11 OCCUPATION PLUS

12 (1) ALL EXPENSES OF THE BOARD THAT REGULATES THE
 13 OCCUPATION IF THE BOARD REGULATES ONLY ONE OCCUPATION;

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

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

18 (l) In this section, "regulatory costs"

19 (1) means costs of the department that are attributable to regulation of
 20 an occupation plus

21 (A) all expenses of a board that regulates the occupation if the
 22 board regulates only one occupation; or

23 (B) the expenses of a board that are attributable to the
 24 occupation if the board regulates more than one occupation;

25 (2) does not include costs attributable to disciplinary investigations and
 26 actions involving a person engaged in an unlicensed practice or legal and actual costs
 27 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] under
 3 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

vessels;

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

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

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

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

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

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

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

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

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

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

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

- (1) application;
- (2) examination;
- (3) evaluation [INVESTIGATION] of credentials;
- (4) license;

- (5) license renewal;
- (6) temporary license;
- (7) temporary permit.

* **Sec. 11.** AS 43.70.030(a) is amended to read:

(a) The fee for each business license is \$50 a year, except that the fee is

(1) \$25 if the business is a sole proprietorship and the sole proprietor is

(A) [(1)] 65 years of age or older when the sole proprietor

applies for the license or will reach 65 years of age at any time during the year

for which the license is issued; or

(B) [(2)] a disabled veteran;

(2) \$0 if the business is a sole proprietorship and the sole

proprietor is receiving public assistance.

* **Sec. 12.** This Act takes effect July 1, 2024.