

Original sponsor: Health, Education and
Social Services Committee

Offered: 5/17/80
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

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HOUSE CS FOR SENATE BILL NO. 580 am H

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to professional licensing and to the
7 regulation of the practice of medicine and to occu-
8 pational licensing fees; and providing for an effective
9 date."

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

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* Section 1. AS 08.01.050 is amended by adding a new subsection to read:

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(c) After consulting with the State Medical Board (AS 08.64.010),
13 the department shall employ an individual to be assigned as the investi-
14 gator for that board. The investigator shall

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(1) not be a member of the State Medical Board;

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(2) conduct investigations into alleged violations of

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AS 08.64, and into alleged violations of regulations and orders of the
18 State Medical Board;

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(3) at the request of the State Medical Board, conduct
19 investigations based on complaints filed with the department or with the
20 State Medical Board; and

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(4) be directly responsible and accountable to the State

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Medical Board, ~~except~~ that only the department has authority to termi-
24 nate his employment.

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* Sec. 2. AS 08.64.010 is amended to read:

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Sec. 08.64.010. CREATION AND MEMBERSHIP OF STATE MEDICAL BOARD.

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The governor shall appoint a board of medical examiners, to be known as
28 the State Medical Board, consisting of five [LICENSED] physicians

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licensed in the state and [,] residing in as many separate geographical

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1 areas of the state [ALASKA JUDICIAL DISTRICTS] as possible, and two
2 persons with no direct financial interest in the health care industry.

3 * Sec. 3. AS 08.64.020 is amended to read:

4 Sec. 08.64.020. [STATE MEDICAL BOARD] TERM OF OFFICE. Members
5 shall be appointed for staggered terms [A TERM] of four years, subject
6 to confirmation by a majority of the members of the legislature in joint
7 session, and shall hold office until their successors are appointed and
8 qualified. The terms of the public members of the board shall be stag-
9 gered so that they do not expire at the same time. A person who has
10 served two successive complete terms may not be reappointed until four
11 years from the expiration of the second term.

12 * Sec. 4. AS 08.64.040 is amended to read:

13 Sec. 08.64.040. REMOVAL OF MEMBERS. The governor may remove a
14 member of the board for cause. The board may by regulation provide that
15 unexcused absences from meetings constitute cause for removal.

16 * Sec. 5. AS 08.64 is amended by adding new sections to read:

17 Sec. 08.64.075. EXECUTIVE OFFICER OF THE BOARD. (a) The depart-
18 ment, in consultation with the board, shall employ an individual who is
19 not a member of the board to serve as executive officer of the board.

20 (b) The executive officer shall

- 21 (1) perform the administrative duties required by this
22 chapter and the department;
23 (2) carry out regulations and policy decisions made by the
24 board;
25 (3) assist the board in conducting examinations, continuing
26 education programs, and other administrative work for the board."

27 Sec. 08.64.085. MEETINGS OF THE BOARD. The board shall hold
28 meetings at least four times a year.

29 Sec. 08.64.115. DUTIES. The board shall

1 (1) after a hearing, impose disciplinary sanctions on persons
2 who violate this chapter, or the regulations or orders of the board;

3 (2) adopt regulations insuring that renewal of licenses is
4 contingent upon proof of continued competency on the part of the li-
5 censee.

6 * Sec. 6. AS 08.64.240 is amended to read:

7 Sec. 08.64.240. LICENSE REFUSED. If the applicant fails the exam-
8 ination, or is determined by the board to be [MORALLY OR] professionally
9 unfit to practice medicine or osteopathy in this state, or fails to
10 comply with any of the other requirements of this chapter, the board
11 shall refuse to grant the license.

12 * Sec. 7. AS 08.64.250 is amended to read:

13 Sec. 08.64.250. LICENSURE BY CREDENTIALS [ENDORSEMENT]. The board
14 may waive the examination requirement and license by credentials [EN-
15 DORSEMENT] if the physician or podiatry applicant meets the requirements
16 of AS 08.64.200 or 08.64.209, submits proof of continued competency
17 as required by regulation, pays the required fee and has

18 (1) an active license from a board of medical examiners
19 established under the laws of a state or territory of the United States
20 or a province of Canada issued after thorough examination; or

21 (2) passed an examination given by the National Board of
22 Medical Examiners or the Federation of State Medical Boards of the
23 United States if the applicant is a physician, or passed an examination
24 given by the National Board of Podiatry Examiners if the applicant is
25 a podiatrist.

26 * Sec. 8. AS 08.64.270(a) is amended to read:

27 (a) The board may issue a temporary permit to an applicant who
28 meets the requirements of AS 08.64.200, [OR] 08.64.205, or 08.64.209 and
29 pays the required fee.

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* Sec. 9. AS 08.64.325 is repealed and re-enacted to read:

Sec. 08.64.325. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS.

The board may impose a sanction when the board finds after a hearing that a licensee

(1) secured a license through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

(4) has been convicted of a felony or other crime which affects his ability to continue to practice competently and safely;

(5) intentionally or negligently engaged in or permitted the performance of patient care by persons under his supervision which does not conform to minimum professional standards regardless of whether actual injury to the patient occurred;

(6) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board;

(7) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) addiction or severe dependency on alcohol or other drugs which impairs his ability to practice safely;

(C) physical or mental disability;

(8) engaged in unprofessional conduct or in lewd or immoral conduct in connection with the delivery of professional service to patients.

* Sec. 10. AS 08.64.330 is repealed and re-enacted to read:

Sec. 08.64.330. DISCIPLINARY SANCTIONS. (a) When it finds that a

1 licensee is guilty of an offense under AS 08.64.325, the board may
2 impose the following sanctions singly or in combination:

- 3 (1) permanently revoke a license to practice;
4 (2) suspend a license for a determinate period of time;
5 (3) censure a licensee;
6 (4) issue a letter of reprimand;
7 (5) place a licensee on probationary status and require him

8 to

9 (A) report regularly to the board upon matters involving
10 the basis of probation;

11 (B) limit practice to those areas prescribed;

12 (C) continue professional education until a satisfactory
13 degree of skill has been attained in those areas determined by the
14 board to need improvement;

15 (6) impose limitations or conditions on the practice of a
16 licensee.

17 (b) The board may withdraw probation status if it finds that the
18 deficiencies which required the sanction have been remedied.

19 (c) The board may summarily suspend a license before final hearing
20 or during the appeals process if the board finds that the licensee poses
21 a clear and immediate danger to the public health and safety if he
22 continues to practice. A person whose license is suspended under this
23 section shall be entitled to a hearing by the board no later than seven
24 days after the effective date of the order. He may appeal the suspen-
25 sion after a hearing to a court of competent jurisdiction.

26 (d) The board may reinstate a license which has been suspended or
27 revoked if the board finds after a hearing that the applicant is able to
28 practice with reasonable skill and safety.

29 (e) A license may be suspended until a hearing can be held to

1 determine the licensee's fitness to practice in the state upon receipt
2 of certified evidence that his license to practice medicine in another
3 state, territory or province of the United States or Canada has been
4 suspended or revoked.

5 (f) The board shall seek consistency in the application of dis-
6 ciplinary sanctions, and significant departure from prior decisions
7 involving similar situations shall be explained in findings of fact or
8 orders.

9 * Sec. 11. AS 08.64.360 is amended to read:

10 Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN
11 VIOLATION OF CHAPTER. (a) Except for a physician assistant and a
12 physician-trained mobile intensive care paramedic under AS 08.64.170, a
13 person practicing medicine or osteopathy in the state without obtaining
14 and filing an appropriate license is guilty of a class B misdemeanor
15 [AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR
16 MORE THAN \$100, OR BY IMPRISONMENT FOR NOT LESS THAN 10 DAYS NOR MORE
17 THAN 90 DAYS, OR BY BOTH]. Evidence that the defendant has failed to
18 file a license with the clerk of the court is prima facie evidence that
19 the defendant is not licensed. Each day of illegal practice is a
20 separate offense.

21 (b) A person who practices or attempts to practice or who holds
22 himself out as practicing a system or mode of treating the sick or
23 afflicted in the state or who diagnoses, treats, operates for, or
24 prescribes for an ailment, blemish, deformity, disease, disfigurement,
25 disorder, injury or other mental or physical condition of any person,
26 without having, when required, a valid unrevoked and unsuspended license
27 or authorization as provided in this chapter, or without being authorized
28 to perform the acts under a license, authorization or certificate, when
29 required, in accordance with another provision of law, is guilty of a

1 class B misdemeanor.

2 * Sec. 12. AS 08.64.380(3) is amended by adding a new subparagraph to
3 read:

4 (I) refusing to provide emergency care which, in the
5 professional judgment of the licensee, is essential to prevent loss
6 of life, limb or immediate undue pain and suffering, and is within
7 the licensee's area of competence.

8 * Sec. 13. AS 08.64.380(5) is amended to read:

9 (5) "department" means the Department of Commerce and Econo-
10 mic Development.

11 * Sec. 14. AS 08.64.030, 08.64.110, 08.64.160, 08.64.200(1), and 08.64.-
12 380(3)(C) are repealed.

13 * Sec. 15. AS 08.01.010 is amended by adding a new paragraph to read:

14 (22) Board of Nursing Home Administrators.

15 * Sec. 16. AS 08.01 is amended by adding a new section to read:

16 Sec. 08.01.065. FEES ESTABLISHED BY DEPARTMENT. (a) The depart-
17 ment shall adopt regulations which establish application fees, examina-
18 tion fees, and license fees for the occupations covered by this chapter,
19 and which establish the manner in which the fees must be paid.

20 (b) Before adopting a regulation under (a) of this section, the
21 proposed regulation must be approved by the board responsible for regu-
22 lating the affected occupation.

23 (c) A regulation adopted under this section may not become effec-
24 tive until 60 days after the convening of the next regular session of
25 the legislature.

26 * Sec. 17. AS 08.01.100 is amended to read:

27 Sec. 08.01.100. LICENSE RENEWAL, LAPSE AND REINSTATEMENT. (a) All
28 licenses shall be renewed [BIENNIALY] on the dates set by the depart-
29 ment with the approval of the respective board.

1 (b) A registration, license, permit or certificate [CERTIFICATES]
2 requiring renewal to continue to be effective must be renewed on or
3 before the date set by the department or it will lapse. The department
4 may establish a [A] penalty which must be paid [OF \$10 SHALL BE CHARGED]
5 in addition to all delinquent renewal fees for reinstatement of a regis-
6 tration, license, permit or certificate which remains lapsed for more
7 than 60 days.

8 * Sec. 18. AS 08.04.260 is amended to read:

9 Sec. 08.04.260. TEMPORARY CERTIFICATE AS CERTIFIED PUBLIC ACCOUN-
10 TANT. If an applicant for a certificate as a certified public accoun-
11 tant meets all the requirements for a certificate except the residence
12 requirement, or the requirement that he have a place of business in the
13 state or be an employee regularly employed in this state, the board may
14 issue a temporary certificate as a certified public accountant. The
15 certificate is effective until the board notifies the applicant that his
16 application has been granted or rejected. A temporary certificate is
17 effective for a period not exceeding six months. [NO FEE MAY BE CHARGED
18 FOR THE ISSUANCE OF A TEMPORARY CERTIFICATE.]

19 * Sec. 19. AS 08.04.300(c) is repealed and re-enacted to read:

20 (c). Each applicant shall be charged an examination fee to be set
21 in accordance with AS 08.01.065.

22 * Sec. 20. AS 08.04.330 is amended to read:

23 Sec. 08.04.330. PARTNERSHIPS OF PUBLIC ACCOUNTANTS. A partnership
24 engaged in this state in the practice of public accounting may register
25 with the board as a partnership of public accountants, if it meets the
26 requirements of AS 08.04.340. In each case the board shall determine
27 whether the applicant is eligible for registration. Application for
28 registration of a partnership shall be made upon the affidavit of a
29 general partner of the partnership who is a certified public accountant

1 or public accountant of this state in good standing. A partnership
2 which is registered and holds a permit issued under AS 08.04.390 -
3 08.04.440 may use the words "public accountants" or the abbreviation
4 "PA's" in connection with its partnership name. The partnership shall
5 notify the board of any change in partners within one month from the
6 date of the change, and pay a fee set in accordance with AS 08.01.065
7 [OF \$5]. The board shall prescribe registration procedure by regula-
8 tion.

9 * Sec. 21. AS 08.04.350 is amended to read:

10 Sec. 08.04.350. REGISTRATION OF OFFICES. Each office established
11 or maintained in this state for the practice of public accounting in
12 this state (1) by a certified public accountant, partnership or corpora-
13 tion of certified public accountants, or (2) by a public accountant,
14 partnership or corporation of public accountants, shall register [ANNU-
15 ALLY] with the board. Fees [NO FEE] may be charged for registration in
16 accordance with AS 08.01.065. The board shall prescribe registration
17 procedure by regulation.

18 * Sec. 22. AS 08.04.390 is amended to read:

19 Sec. 08.04.390. PERMIT FOR INDIVIDUAL PRACTICE AS A PUBLIC ACCOUN-
20 TANT. The board shall issue a permit to engage in the practice of
21 public accounting to a holder of a certificate or license if all offices
22 of the certificate holder or licensee are maintained and registered as
23 required by AS 08.04.350 - 08.04.380. The [BIENNIAL] permit fee shall
24 be set in accordance with AS 08.01.065 [IS \$60].

25 * Sec. 23. AS 08.04.400 is amended to read:

26 Sec. 08.04.400. PERMIT FOR PARTNERSHIP OR CORPORATE PRACTICE AS A
27 PUBLIC ACCOUNTANT. The board shall issue a permit to engage in the
28 practice of public accounting as a partnership or as a corporation to a
29 partnership or corporation registered under AS 08.04.240 or 08.04.330 -

1 08.04.340. The [BIENNIAL] permit fee shall be set by regulations adopted
2 under AS 08.01.065 [IS \$60]. A permit is valid only for practice under
3 the registered name of the partnership or corporation.

4 * Sec. 24. AS 08.04.410 is amended to read:

5 Sec. 08.04.410. PERMIT FOR PERSON NOT ENGAGED IN PRACTICE. A
6 person holding a certificate or license not engaged in the practice of
7 public accounting may maintain his certificate or license in good stand-
8 ing by registering with the board and paying a [AN ANNUAL] registration
9 fee set in accordance with AS 08.01.065 [OF \$10].

10 * Sec. 25. AS 08.04.420 is amended to read:

11 Sec. 08.04.420. PERMIT FOR GENERAL PRACTICE AS A CERTIFIED PUBLIC
12 ACCOUNTANT. A certified public accountant, or a partnership or corpora-
13 tion of certified public accountants in good standing in a state, not
14 holding a permit under AS 08.04.390 or 08.04.400 nor maintaining an
15 office in this state but engaging in the practice of public accounting
16 in this state, shall apply to the board for a permit to practice. The
17 board shall determine whether the applicant is eligible for the permit.
18 The [ANNUAL] fee for the issuance of a permit shall be set in accordance
19 with AS 08.01.065 [IS \$100].

20 * Sec. 26. AS 08.04.430 is amended to read:

21 Sec. 08.04.430. EXPIRATION AND RENEWAL. A permit or registration
22 under AS 08.04.390 - 08.04.420, unless revoked or suspended, shall be
23 renewed [BIENNIALY] upon payment of a renewal fee set in accordance
24 with AS 08.01.065 [IN THE SAME AMOUNT AS THE INITIAL BIENNIAL FEE].

25 * Sec. 27. AS 08.04.440 is amended to read:

26 Sec. 08.04.440. EFFECT OF FAILURE TO OBTAIN PERMIT. Failure of a
27 person, partnership or corporation to apply for the annual permit to
28 practice [OR TO PAY THE ANNUAL FEE] within (1) three years from the
29 expiration date of the permit to practice or annual registration last

1 obtained or renewed, or (2) three years from the date upon which the
2 certificate holder or licensee was granted his certificate as a certi-
3 fied public accountant or license as a public accountant deprives him of
4 the right to a permit or annual registration or renewal of a permit,
5 unless the board determines that the failure is excusable. [IN CASE OF
6 EXCUSABLE FAILURE, THE FEE SHALL NOT EXCEED THREE TIMES THE ANNUAL FEE.]

7 * Sec. 28. AS 08.04.450(7) is amended to read:

8 (7) cancellation, revocation, suspension, or refusal to renew
9 authority to practice as a certified public accountant or public ac-
10 countant in any other state for any cause other than failure to pay
11 the appropriate [AN ANNUAL REGISTRATION] fee;

12 * Sec. 29. AS 08.04.480(3) is amended to read:

13 (3) the cancellation, revocation, suspension, or refusal to
14 renew the authority of the partnership or any partner or the corporation
15 or a shareholder to practice public accounting in any other state for
16 any cause other than failure to pay a [AN ANNUAL] registration fee in
17 that state.

18 * Sec. 30. AS 08.12.080 is repealed and re-enacted to read:

19 Sec. 08.12.080. FEES. Each applicant for a barber license and
20 each applicant for a barber teacher license must pay an examination fee
21 set in accordance with AS 08.01.065.

22 * Sec. 31. AS 08.12.090 is amended to read:

23 Sec. 08.12.090. LICENSE FEE FOR BARBERS. The [ANNUAL] fee for a
24 license to engage in barbering shall be set in accordance with AS 08.01.-
25 065 [IS \$10].

26 * Sec. 32. AS 08.12.100 is amended to read:

27 Sec. 08.12.100. LICENSE FEE FOR BARBER TEACHERS. The [ANNUAL] fee
28 for a license to engage in the teaching of barbering shall be set in
29 accordance with AS 08.01.065 [IS \$50].

1 * Sec. 33. AS 08.12.110 is amended to read:

2 Sec. 08.12.110. LICENSE FEE FOR BARBER SCHOOLS. The [ANNUAL] fee
3 for a license to conduct a barber school or college shall be set in
4 accordance with AS 08.01.065 [IS \$150].

5 * Sec. 34. AS 08.12.170 is amended to read:

6 Sec. 08.12.170. ISSUANCE OF TEMPORARY PERMIT. A temporary permit
7 may be issued by any member of the board upon application under terms
8 and conditions established by regulations of the board, and upon the re-
9 ceipt of an application fee set in accordance with AS 08.01.065 [OF \$25.
10 THE FEE SHALL BE CREDITED TO THE TEMPORARY PERMITEE, WHO SHALL BE PERMIT-
11 TED TO TAKE AN EXAMINATION FOR A REGULAR LICENSE WITHOUT ANY ADDITIONAL
12 FEE]. Upon taking the examination, the holder shall surrender the tempo-
13 rary permit to the board or the committee conducting the examination.

14 * Sec. 35. AS 08.12.180 is amended to read:

15 Sec. 08.12.180. LICENSE FOR CERTAIN RESIDENT BARBERS. The board
16 shall issue a license without examination to a person who was engaged in
17 the practice of barbering in the state, before March 18, 1957. Appli-
18 cation for a license shall be accompanied by payment of a fee set in
19 accordance with AS 08.01.065 [OF \$25], an affidavit that the applicant
20 qualifies for a license under this section, and a certificate of health
21 from a physician that the applicant has no contagious or infectious
22 disease.

23 * Sec. 36. AS 08.18.041 is repealed and re-enacted to read:

24 Sec. 08.18.041. FEES. Registration and renewal fees shall be set
25 in accordance with AS 08.01.065 for the following categories:

- 26 (1) general contractor;
27 (2) specialty contractor.

28 * Sec. 37. AS 08.20.130(d) is amended to read:

29 (d) An applicant may take a reexamination within one year after

1 failing the examination [UPON PAYMENT OF A FEE OF \$10].

2 * Sec. 38. AS 08.20.180 is repealed and re-enacted to read:

3 Sec. 08.20.180. FEES. Each applicant for examination, reexamina-
4 tion, issuance of a temporary permit, initial and renewal license, and
5 associate license shall pay a fee set in accordance with AS 08.01.065.

6 * Sec. 39. AS 08.24.100(b) is amended to read:

7 (b) The [ANNUAL] operator's license is [SHALL BE] renewable on
8 a date set in accordance with AS 08.01.100 and for a [OR BEFORE JULY 1
9 OF EACH SECOND YEAR BEGINNING ON JULY 1, 1968, AND THE BIENNIAL] fee
10 set in accordance with AS 08.01.065 [IS \$100].

11 * Sec. 40. AS 08.24.110(a)(8) is amended to read:

12 (8) pay the [BIENNIAL] license fee set in accordance with
13 AS 08.01.065 [WHICH IS FIXED AT \$100].

14 * Sec. 41. AS 08.24.120(a)(3) is amended to read:

15 (3) if an original application, an application fee set in
16 accordance with AS 08.01.065 [OF \$40];

17 * Sec. 42. AS 08.24.140(a)(1) is amended to read:

18 (1) if an original application, an application fee set in
19 accordance with AS 08.01.065 [OF \$100];

20 * Sec. 43. AS 08.24.140(a)(2) is amended to read:

21 (2) the [BIENNIAL] license fee for a collection agency [WHICH
22 IS FIXED AT \$200] for the principal place of business and [\$200] for
23 each branch office, as set in accordance with AS 08.01.065;

24 * Sec. 44. AS 08.24.170 is amended to read:

25 Sec. 08.24.170. RETURN OF [FEES AND] BOND. If the department does
26 not issue the license applied for, the [LICENSE FEE AND] bond shall be
27 returned. [THE APPLICATION FEE MAY NOT BE RETURNED.]

28 * Sec. 45. AS 08.24.200 is amended to read:

29 Sec. 08.24.200. EXPIRATION AND RENEWAL. (a) All licenses re-

1 quired by this chapter [SHALL] expire and must [ON JUNE 30, 1970, AND
2 JUNE 30 OF EACH SECOND YEAR THEREAFTER AND SHALL] be renewed at the
3 times set in accordance with AS 08.01.100 [AS OF JULY 1 FOLLOWING UPON
4 PAYMENT OF REQUIRED BIENNIAL FEES].

5 (b) If a licensee under this chapter is delinquent for a period of
6 15 days in applying for the renewal of a license, the department shall
7 suspend the license and notify the licensee by certified mail or by
8 personal service. The notice shall state that the license will be
9 revoked if application for renewal is not made within 15 days from the
10 date on which the notice was mailed or personally served. When a licen-
11 see has been delinquent in renewing his license or certificate, the
12 department shall charge an additional fee set in accordance with AS 08.-
13 01.065 [OF \$50] for the renewal of the license.

14 * Sec. 46. AS 08.24.370 is amended to read:

15 Sec. 08.24.370. NONRESIDENTS. A nonresident may apply for and
16 receive a collection agency license or an operator license or both on
17 the same basis as a resident. The application fee for [A] nonresident
18 licenses shall be set in accordance with AS 08.01.065 [OPERATOR LICENSE
19 IS \$100, AND THE BIENNIAL LICENSE FEE IS \$200. THE APPLICATION FEE FOR
20 A NONRESIDENT AGENCY LICENSE IS \$200, AND THE BIENNIAL LICENSE FEE IS
21 \$400 FOR THE PRINCIPAL PLACE OF BUSINESS AND \$400 FOR EACH BRANCH
22 OFFICE].

23 * Sec. 47. AS 08.28.170 is repealed and re-enacted to read:

24 Sec. 08.28.170. FEES. (a) Fees for registration, initial li-
25 cense, and renewal shall be set in accordance with AS 08.01.065 for the
26 following categories:

- 27 (1) school;
28 (2) school owner;
29 (3) instructor-operator;

- 1 (4) owner-operator;
- 2 (5) owner only, beauty shop;
- 3 (6) manager-operator;
- 4 (7) demonstrator or consultant;
- 5 (8) operator;
- 6 (9) apprentice or student;
- 7 (10) manicurist.

8 (b) Fees shall be set in accordance with AS 08.01.065 for examina-
9 tions and investigations.

10 * Sec. 48. AS 08.28.250 is amended to read:

11 Sec. 08.28.250. APPLICATION OF LICENSE PROVISIONS TO BEAUTY
12 SCHOOLS. Hairdressing and beauty culture schools shall comply with the
13 licensing provisions of this chapter and with [RULES AND] regulations
14 issued under it. Upon application and payment of the fee set in accor-
15 dance with AS 08.01.065 by a beauty school which has been in operation
16 and teaching a course of not less than 2,000 hours for one year before
17 January 1, 1957, the board shall issue a license for its operation.

18 * Sec. 49. AS 08.32.040 is amended to read:

19 Sec. 08.32.040. APPLICATION AND FEE. An application for examina-
20 tion or licensing under AS 08.32.030 [BY CREDENTIALS] shall be accom-
21 panied by the applicant's certificate of graduation from an accredited
22 dental hygiene school, and a fee set in accordance with AS 08.01.065 [OF
23 \$25].

24 * Sec. 50. AS 08.32.070 is amended to read:

25 Sec. 08.32.070. REGISTRATION AND LICENSING OF DENTAL HYGIENISTS.
26 If the applicant passes the examination, the board shall register the
27 applicant and issue a certificate. The fee for registration shall be
28 set in accordance with AS 08.01.065. A license must be renewed on or
29 before a date set by the department [IS \$20. BEFORE MAY 1 OF EVERY

1 OTHER YEAR AFTER THE YEAR OF REGISTRATION, EVERY REGISTERED DENTAL
2 HYGIENIST SHALL PAY A REGISTRATION FEE OF \$20].

3 * Sec. 51. AS 08.32.081 is amended to read:

4 Sec. 08.32.081. LAPSE AND REINSTATEMENT OF LICENSE. The failure,
5 neglect, or refusal of a licensed dental hygienist to pay the [BIENNIAL]
6 registration fee constitutes a forfeiture of the license. The board may
7 reinstate the license without examination within two years of the date
8 on which payment was due upon written application and payment of a fee
9 set in accordance with AS 08.01.065 [\$25].

10 * Sec. 52. AS 08.32.190 is amended by adding a new paragraph to read:

11 (6) "department" means the Department of Commerce and Econo-
12 mic Development.

13 * Sec. 53. AS 08.36.070(3) is amended to read:

14 (3) to submit an annual report of its proceedings to the
15 governor and to members of the Alaska Dental Society [, CONTAINING A
16 STATEMENT OF MONEY RECEIVED AND DISBURSED];

17 * Sec. 54. AS 08.36.230 is amended to read:

18 Sec. 08.36.230. PRACTICE OUTSIDE THE STATE. A dentist licensed to
19 practice in this state and residing and practicing dentistry outside of
20 this state, may maintain his eligibility to practice in this state by
21 [BIENNIALLY] registering his name and place of residence with the divi-
22 sion of occupational licensing. If the dentist fails to register, the
23 board may reinstate his license without examination upon payment of
24 applicable fees set in accordance with AS 08.01.065 [A PENALTY OF \$25,
25 PAYMENT OF ALL DELINQUENT REGISTRATION FEES,] and presentation of proof
26 of active practice at his place of residence, certified by the dental
27 board having jurisdiction at his place of residence, or, if there is no
28 board, by evidence satisfactory to the board.

29 * Sec. 55. AS 08.36.250 is amended to read:

1 Sec. 08.36.250. [BIENNIAL] REGISTRATION RENEWAL. At least 60 days
2 before expiration of a license [JANUARY 1 OF EVERY OTHER YEAR], the
3 division of occupational licensing shall mail a form for [BIENNIAL]
4 registration to each licensed dentist. Each licensee shall complete the
5 form and return it together with the appropriate [REGISTRATION] fee.
6 The division of occupational licensing shall, as soon as practicable,
7 issue a registration certificate valid for the years for which issued.
8 Each licensee shall keep the registration certificate beside or attached
9 to his license. Failure to receive the registration form does not
10 exempt a dentist from renewing his [BIENNIAL] registration.

11 * Sec. 56. AS 08.36.260 is amended to read:

12 Sec. 08.36.260. BRANCH OFFICE REGISTRATION. A licensee who prac-
13 tices in an established office with an address other than that address
14 for which his [BIENNIAL] registration certificate is issued shall obtain
15 a branch office registration certificate for each office.

16 * Sec. 57. AS 08.36.280(a)(4) is amended to read:

17 (4) tenders and pays a [THE] fee set in accordance with
18 AS 08.01.065 [PRESCRIBED IN AS 08.36.290(6)].

19 * Sec. 58. AS 08.36.280(c) is amended to read:

20 (c) The board may [ANNUALLY] renew a temporary permit upon written
21 application of an applicant and upon payment of a [THE PRESCRIBED] fee
22 set in accordance with AS 08.01.065 if the applicant has not committed
23 an act which is a ground for revocation in AS 08.04.310, but in any
24 case, within two years from issuance of his first temporary permit, the
25 applicant must pass a board exam.

26 * Sec. 59. AS 08.36.290 is amended to read:

27 Sec. 08.36.290. FEES AND PENALTIES. The Department of Commerce
28 and Economic Development [BOARD] shall impose and collect [THE FOLLOW-
29 ING] fees and penalties for the following:

- 1 (1) [FOR THE] issuance of an original license [, \$30];
- 2 (2) [FOR THE] examination of an applicant [, \$50];
- 3 (3) [FOR] re-examination of an applicant [, \$50];
- 4 (4) [FOR BIENNIAL] registration and renewal of registration
- 5 [, \$40];
- 6 (5) [FOR] each branch office [BIENNIAL] registration and re-
- 7 newal of registration [, \$40];
- 8 (6) [FOR A] temporary permit [, \$25];
- 9 (7) (Repealed)
- 10 (8) [FOR] re-instatement as provided in AS 08.36.230 [A
- 11 PENALTY OF \$10];
- 12 (9) [FOR A] specialty license [, \$30];
- 13 (10) [FOR A] duplicate license [, \$10].

14 * Sec. 60. AS 08.40.135(b) is amended to read:

15 (b) A lapsed license may be reinstated [BY PAYMENT OF ALL UNPAID

16 RENEWAL FEES AND A PENALTY FEE OF \$25 FOR EACH YEAR THE LICENSE HAS BEEN

17 LAPSED] unless the license has been lapsed for more than three years and

18 the board has reason to believe that it may be necessary to require the

19 licensee to take and pass the examination given under AS 08.40.120.

20 * Sec. 61. AS 08.40.150 is repealed and re-enacted to read:

21 Sec. 08.40.150. FEES. Each applicant and each licensee shall pay

22 application, renewal, and reinstatement fees, respectively, as set in

23 accordance with AS 08.01.065.

24 * Sec. 62. AS 08.42.020(b) is amended to read:

25 (b) A person who has actively practiced embalming in the state for

26 at least one year and holds a valid embalmer's license issued in this

27 state before the effective date of this chapter shall be granted a

28 license to practice embalming and may renew the license in accordance

29 with AS 08.01.100 [BIENNIALY]. A person who has actively practiced in

1 the state as a funeral director for a period of at least one year shall
2 be granted a license to practice as a funeral director and may renew his
3 license in accordance with AS 08.01.100 [BIENNIALY].

4 * Sec. 63. AS 08.42.020(c) is amended to read:

5 (c) In the event that the dead body is to be disposed of in a
6 manner not requiring embalming, the department may issue a permit to an
7 unlicensed person in accordance with AS 08.01.100 [, ON AN ANNUAL BASIS,]
8 for the care and disposition of dead human bodies for compensation.
9 This permit otherwise in no way licenses the holder to practice mortuary
10 science.

11 * Sec. 64. AS 08.42.100 is amended to read:

12 Sec. 08.42.100. FUNERAL ESTABLISHMENT PERMIT. After the effective
13 date of this chapter, no person may conduct, maintain, manage, or operate
14 a funeral establishment unless a permit for each establishment has been
15 issued by the department and is conspicuously displayed in the funeral
16 establishment. Each permit is [SHALL BE] valid only for one specific
17 location, and a separate permit is [PERMITS SHALL BE] required of two or
18 more firms operating from the same funeral establishment. A permit to
19 operate a funeral establishment shall be issued by the department upon
20 application for the permit on a form provided by the department. All
21 permits [SHALL] expire at the time established in accordance with AS 08.-
22 01.100 [ON DECEMBER 31 OF EACH YEAR] and may be renewed for successive
23 [ONE-YEAR] terms. Violation of a provision of AS 08.42.090 by a person
24 operating a funeral establishment or with his knowledge or consent by an
25 employee shall be considered sufficient cause for suspension or revoca-
26 tion of the funeral establishment permit.

27 * Sec. 65. AS 08.48.091 is amended to read:

28 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES. Written
29 examinations shall be held at least twice each year at places determined

1 by the board. A candidate failing an examination may apply for reexam-
2 ination. The examination fee for applicants shall be established in
3 accordance with AS 08.01.065 [BY THE BOARD IN AN AMOUNT NOT TO EXCEED
4 \$50 AND SHALL ACCOMPANY THE APPLICATION].

5 * Sec. 66. AS 08.48.201(b) is amended to read:

6 (b) The registration fee for professional architects, professional
7 engineers and professional land surveyors shall be established in accor-
8 dance with AS 08.01.065 [BY THE BOARD IN AN AMOUNT NOT TO EXCEED \$100
9 AND SHALL ACCOMPANY THE APPLICATION FOR REGISTRATION].

10 * Sec. 67. AS 08.48.231(b) is amended to read:

11 (b) The renewal of a certificate does not require reapplication if
12 the certificate has not expired or has not been suspended or revoked.
13 The renewal fee for a certificate shall be set in accordance with AS 08.-
14 01.065 [MAY NOT EXCEED \$100].

15 * Sec. 68. AS 08.48.231(c) is amended to read:

16 (c) Renewal of an expired certificate may be effected under regu-
17 lations adopted [PROMULGATED] by the board regarding requirements of
18 reexamination [AND PENALTY FEES].

19 * Sec. 69. AS 08.48.241(i) is amended to read:

20 (i) For each certificate of authorization issued to a corporation
21 under the provisions of this chapter, there shall be paid an initial fee
22 set in accordance with AS 08.01.065 [NOT TO EXCEED \$300].

23 * Sec. 70. AS 08.54.170(a) is repealed and re-enacted to read:

24 (a) A license fee shall be set in accordance with AS 08.01.065 for
25 each of the following license categories:

- 26 (1) master guide;
- 27 (2) registered guide;
- 28 (3) class-A assistant guide;
- 29 (4) assistant guide.

1 * Sec. 71. AS 08.54.170(c) is amended to read:

2 (c) The license fee for a transporter shall be set in accordance
3 with AS 08.01.065 [IS \$10].

4 * Sec. 72. AS 08.54.180 is amended to read:

5 Sec. 08.54.180. EXAMINATION FEE. An applicant for a guide exami-
6 nation shall pay a fee set in accordance with AS 08.01.065 [OF \$25].

7 * Sec. 73. AS 08.54.185 is amended to read:

8 Sec. 08.54.185. ADDITIONAL FEES. In addition to the license and
9 examination fees set in accordance with AS 08.01.065 [PROVIDED FOR UNDER
10 THIS CHAPTER], master guides and registered guides are subject to fees
11 imposed under AS 16.05.340(e).

12 * Sec. 74. AS 08.54.190(a) is amended to read:

13 (a) A master guide, registered guide, class-A assistant guide,
14 assistant guide or transporter license expires in accordance with
15 AS 08.01.100 [ON DECEMBER 31, FOLLOWING ISSUANCE].

16 * Sec. 75. AS 08.62.120 is amended to read:

17 Sec. 08.62.120. DURATION, RENEWAL. A license issued under this
18 chapter shall be renewed [BIENNIALY] on dates set by the department.
19 [A LICENSE ISSUED UNDER AS 30.10 LAPSES AT THE END OF CALENDAR YEAR
20 1970. A LICENSE ISSUED BETWEEN MAY 7, 1970 AND THE END OF 1970 SHALL BE
21 ISSUED FOR A FEE OF \$100.] A license shall be renewed without examina-
22 tion upon the payment of the required [BIENNIAL] license fee.

23 * Sec. 76. AS 08.62.140 is repealed and re-enacted to read:

24 Sec. 08.62.140. FEES. An application fee and a license fee may be
25 set in accordance with AS 08.01.065.

26 * Sec. 77. AS 08.64.250 is amended to read:

27 Sec. 08.64.250. LICENSURE BY ENDORSEMENT. The board may waive the
28 examination requirement and license by endorsement if the physician
29 applicant meets the requirements of AS 08.64.200, pays the [REQUIRED]

1 fee set in accordance with AS 08.01.065, and has

2 (1) an active license from a board of medical examiners
3 established under the laws of a state or territory of the United States
4 or a province of Canada issued after thorough examination; or

5 (2) passed an examination given by the National Board of
6 Medical Examiners or the Federation of State Medical Boards of the
7 United States.

8 * Sec. 78. AS 08.64.260 is amended to read:

9 Sec. 08.64.260. RE-EXAMINATION. (a) If the applicant fails the
10 examination, he may, on the same application and payment of a re-exami-
11 nation fee, set in accordance with AS 08.01.065, take another examina-
12 tion not less than six months nor more than two years after the date of
13 the first examination. If the applicant fails a second examination, he
14 may, after a year or more of further study or training approved by the
15 board, make a new application for licensure.

16 (b) Applicants failing every portion of the examination shall
17 retake the entire examination and pay the full examination fee set in
18 accordance with AS 08.01.065.

19 (c) Applicants failing portions of part I or part II of the exam-
20 ination may retake the portions failed at a prorated fee set in accor-
21 dance with AS 08.01.065 [PRESCRIBED IN THE REGULATIONS BY THE BOARD].

22 (d) Applicants failing part III of the examination shall retake
23 the entire part at a prorated fee set in accordance with AS 08.01.065
24 [PRESCRIBED IN THE REGULATIONS BY THE BOARD].

25 * Sec. 79. AS 08.64.270(a) is amended to read:

26 (a) The board may issue a temporary permit to an applicant who
27 meets the requirements of AS 08.64.200 or AS 08.64.205 and pays a [THE
28 REQUIRED] fee set in accordance with AS 08.01.065.

29 * Sec. 80. AS 08.64.272 is amended to read:

1 Sec. 08.64.272. RESIDENCY AND INTERNSHIP. For the limited purpose
2 of doing residency or internship work, the board may issue a temporary
3 permit to an applicant without examination if the applicant meets the
4 requirements of AS 08.64.200(1) and (2), pays a [THE REQUIRED] fee
5 set in accordance with AS 08.01.065, and has been accepted by an eligible
6 institution in the state for the purpose of doing residency or intern-
7 ship work.

8 * Sec. 81. AS 08.64.275(b) is amended to read:

9 (b) A physician applying under (a) of this section shall pay a
10 [THE REQUIRED] fee set in accordance with AS 08.01.065 and shall meet
11 the requirements of AS 08.64.200. In addition, he shall submit evidence
12 of holding a license to practice medicine in a state or territory of the
13 United States or in a province of Canada.

14 * Sec. 82. AS 08.64.275(c) is amended to read:

15 (c) An osteopath applying under (a) of this section shall pay a
16 [THE REQUIRED] fee set in accordance with AS 08.01.065 and shall meet
17 the requirements of AS 08.64.205. In addition, he shall submit evidence
18 of holding a license to practice in a state or territory of the United
19 States or in a province of Canada.

20 * Sec. 83. AS 08.64.275(d) is amended to read:

21 (d) Within 10 days from the granting of the permit, the board
22 member shall forward [THE FEE] to the department [WITH] a report of the
23 issuance of the permit.

24 * Sec. 84. AS 08.64.290 is amended to read:

25 Sec. 08.64.290. EXAMINATION FEE. The examination fee shall be
26 paid at the time of applying for examination. [THE BOARD MAY REFUND THE
27 EXAMINATION FEE ONLY IF THE APPLICANT IS UNAVOIDABLY PREVENTED FROM
28 MAKING THE EXAMINATION.]

29 * Sec. 85. AS 08.64.311 is amended to read:

1 Sec. 08.64.311. [BIENNIAL] LICENSE RENEWAL. Licenses shall be
2 renewed in accordance with AS 08.01.100 [BIENNIALY].

3 * Sec. 86. AS 08.64.315 is repealed and re-enacted to read:

4 Sec. 08.64.315. FEES. A license fee shall be set in accordance
5 with AS 08.01.065 for the following categories:

- 6 (1) application;
- 7 (2) license by examination;
- 8 (3) license by endorsement or waiver of examination;
- 9 (4) temporary permit;
- 10 (5) locum tenens permit;
- 11 (6) license renewal, active;
- 12 (7) license renewal, inactive;
- 13 (8) license by re-examination.

14 * Sec. 87. AS 08.64.330(a) is amended to read:

15 (a) A license may be revoked for failure to pay the license re-
16 newal fee [PRESCRIBED IN AS 08.64.315]. If the fee is not paid within
17 the time provided, the department shall give written notice to the
18 licensee that he is in default. Notice may be served on him personally
19 or by registered mail addressed to his last known residence. If he
20 fails to pay the fee within three months after notice of default, the
21 secretary shall revoke his license on behalf of the board and notify the
22 licensee of the revocation by mail or by personal service of the revoca-
23 tion.

24 * Sec. 88. AS 08.68.210(a)(3) is amended to read:

25 (3) pays a [THE REQUIRED] fee set in accordance with AS 08.-
26 01.065.

27 * Sec. 89. AS 08.68.210(b) is amended to read:

28 (b) The board may issue a nonrenewable permit to an applicant for
29 license by examination if he meets the qualifications of AS 08.68.170 or
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1 AS 08.68.180, whichever is applicable, and pays a [THE REQUIRED] fee
2 set in accordance with AS 08.01.065. The permit will be valid for a
3 period not extending beyond the time when the results are published of
4 the first examination the applicant is eligible to take after the permit
5 is issued.

6 * Sec. 90. AS 08.68.220 is repealed and re-enacted to read:

7 Sec. 08.68.220. FEES. A fee shall be set in accordance with
8 AS 08.01.065 for each of the following categories:

9 (1) professional or registered nursing:

- 10 (A) application;
11 (B) license by examination;
12 (C) license by endorsement;
13 (D) license renewal;

14 (2) practical or vocational nursing:

- 15 (A) application;
16 (B) license by examination;
17 (C) license by endorsement;
18 (D) license renewal.

19 * Sec. 91. AS 08.68.260 is amended to read:

20 Sec. 08.68.260. INACTIVE NURSES. A licensed nurse may apply to be
21 placed on inactive status. An inactive nurse may engage in the practice
22 of nursing by submitting an application for renewal and the current
23 [BIENNIAL] renewal fee, set in accordance with AS 08.01.065, to the
24 board and receiving a renewal certificate. If the board has reason to
25 believe that the applicant for a renewal certificate no longer has
26 sufficient knowledge to carry out the duties of a licensed nurse, the
27 board may require the applicant to take and pass the examination given
28 under sec. 190 of this chapter or complete a refresher course approved
29 by the board.

1 * Sec. 92. AS 08.70.140(a) is repealed and re-enacted to read:

2 Sec. 08.70.140. EXPIRATION AND RENEWAL. (a) The term of a nurs-
3 ing home administrator's license shall be set in accordance with AS 08.-
4 01.100.

5 * Sec. 93. AS 08.70.150 is repealed and re-enacted to read:

6 Sec. 08.70.150. FEES. Fees may be set in accordance with AS 08.-
7 01.065 for examination, for investigation of persons applying for a
8 license, and for a license.

9 * Sec. 94. AS 08.71.120 is repealed and re-enacted to read:

10 Sec. 08.71.120. FEES. Fees may be set in accordance with AS 08.-
11 01.065 for examination, the initial license, and the license renewal.

12 * Sec. 95. AS 08.71.130(a) is amended to read:

13 (a) A licensed dispensing optician shall renew his license [BIEN-
14 NIALY] with the Department of Commerce and Economic Development on or
15 before the date set by the department under AS 08.01.100.

16 * Sec. 96. AS 08.71.130(b) is amended to read:

17 (b) If the license is not renewed on or before that date, it
18 lapses [SHALL LAPSE. A PENALTY OF \$10 SHALL BE CHARGED, IN ADDITION TO
19 ALL DELINQUENT FEES, FOR THE REINSTATEMENT OF A LICENSE WHICH REMAINS
20 LAPSED FOR MORE THAN 60 DAYS].

21 * Sec. 97. AS 08.72.181(a) is amended to read:

22 (a) To remain in force a license must be renewed in accordance with
23 AS 08.01.100 [BIENNIALY].

24 * Sec. 98. AS 08.72.181(b) is amended to read:

25 (b) An optometrist licensed in this state and serving in the
26 military service of the United States, while in the discharge of his
27 official duties, may maintain his eligibility to practice in this state
28 [WITHOUT PAYING A RENEWAL FEE] by registering his name and place of
29 residence with the department.

1 * Sec. 99. AS 08.72.191 is repealed and re-enacted to read:

2 Sec. 08.72.191. FEES. Fees shall be set in accordance with AS 08.-
3 01.065 for the following categories:

- 4 (1) examination;
5 (2) re-examination for the written portion;
6 (3) waiver of examination;
7 (4) certificate;
8 (5) renewal;
9 (6) branch office registration and renewal.

10 * Sec. 100. AS 08.80.155(b) is amended to read:

11 (b) A pharmacist applying under (a) of this section must submit
12 proof that he holds a license in good standing in a state recognized by
13 the National Association of Boards of Pharmacy, and pay a [THE] fee
14 set in accordance with AS 08.01.065 [REQUIRED UNDER AS 08.80.160].

15 * Sec. 101. AS 08.80.160 is repealed and re-enacted to read:

16 Sec. 08.80.160. FEES. Fees shall be set in accordance with AS 08.-
17 01.065 for the following categories:

- 18 (1) examination;
19 (2) reexamination;
20 (3) reciprocity investigation;
21 (4) pharmacist license;
22 (5) temporary license;
23 (6) wholesale drug dealer license;
24 (7) retail pharmacy license;
25 (8) pharmacy intern registration;
26 (9) emergency permit;
27 (10) hospital pharmacy license (inpatient and outpatient);
28 (11) hospital drug room license (inpatient);
29 (12) nursing home and related facilities license for inpatient

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dispensing;

(13) shopkeepers permit;

(14) license amendment or replacement.

* Sec. 102. AS 08.84.050 is repealed and re-enacted to read:

Sec. 08.84.050. FEES. Fees shall be set in accordance with AS 08.01.065 for the following categories:

(1) application;

(2) registration by examination;

(3) registration by endorsement;

(4) renewal;

(5) temporary permit.

* Sec. 103. AS 08.84.100 is amended to read:

Sec. 08.84.100. RENEWAL OF REGISTRATION. (a) A registered physical therapist or physical therapy assistant shall renew his registration [BIENNIALLY] with the Department of Commerce and Economic Development on or before the date set by the department under AS 08.01.100(a). If the registration is not renewed on or before that date, it lapses.

(b) [A PENALTY OF \$10 SHALL BE CHARGED IN ADDITION TO ALL DELINQUENT RENEWAL FEES FOR REINSTATEMENT OF A REGISTRATION WHICH REMAINS LAPSED FOR MORE THAN 60 DAYS.] If the registration remains lapsed for more than three years, the board may require the applicant to take and pass the examination given under AS 08.84.030(3).

* Sec. 104. AS 08.86.140 is repealed and re-enacted to read:

Sec. 08.86.140. FEES. Fees shall be set in accordance with AS 08.01.065 for the following categories:

(1) application;

(2) in-state or out-of-state license;

(3) license renewal;

(4) temporary license;

1 (5) duplicate license.

2 * Sec. 105. AS 08.86 is amended by adding a new section to art. 5 to read:
3 Sec. 08.86.164. FEES. Fees shall be set in accordance with AS 08.-
4 01.065 for the following categories:

- 5 (1) application;
6 (2) in-state or out-of-state license;
7 (3) license renewal;
8 (4) temporary license;
9 (5) duplicate license.

10 * Sec. 106. AS 08.88.101(a) is amended to read:

11 (a) The department shall furnish the commission with administra-
12 tive services, including collecting fees and issuing receipts; keeping
13 records of receipts and disbursements; distributing and receiving appli-
14 cation forms; notifying an applicant whether or not the commission has
15 accepted his application; designating the dates on which examinations
16 are to be held; at least 30 days before an examination is to be held,
17 publishing notice that it is to be held; printing examinations; pro-
18 viding space for holding examinations; proctoring examinations; notify-
19 ing applicants of the results of the examinations; printing and distri-
20 buting uniform license certificates, duplicate certificates to replace
21 lost ones, and pocket-sized recognition cards; sending notice [, BEFORE
22 DECEMBER 1 OF EACH YEAR,] that licenses must be renewed; keeping a
23 current register of licensees; employing secretarial assistants; reply-
24 ing to routine requests for information; printing and distributing forms
25 and informational bulletins; maintaining records and completed examina-
26 tions; recording suspensions and revocations of licenses; and recording
27 office registrations.

28 * Sec. 107. AS 08.88.201 is amended to read:

29 Sec. 08.88.201. REEXAMINATION. A person who fails an examination

1 may apply for a subsequent examination, but shall pay the application
2 fee set in accordance with AS 08.01.065 each time he applies. He may
3 not petition for an additional examination under AS 08.88.191(a), but
4 may take one if it is offered.

5 * Sec. 108. AS 08.88.211(c) is amended to read:

6 (c) In addition to the requirements of (a) or (b) of this section,
7 to be qualified to take an examination a person must

8 (1) within the time specified by a department regulation,
9 return application forms to the department showing information specified
10 in regulations of the commission;

11 (2) pay the application fee set in accordance with AS 08.01.-
12 065.

13 * Sec. 109. AS 08.88.221 is repealed and re-enacted to read:

14 Sec. 08.88.221. FEES. Fees respecting the licensing of a real
15 estate broker, associate broker, or salesman shall be set in accordance
16 with AS 08.01.065 for the following categories:

- 17 (1) examination;
18 (2) reciprocity;
19 (3) initial license;
20 (4) renewal of an active license;
21 (5) renewal of an inactive license;
22 (6) amending a license.

23 * Sec. 110. AS 08.88.251(c) is amended to read:

24 (c) A person who is inactive may become active by returning to the
25 department his inactive license certificate, the active license [BIEN-
26 NIAL] renewal fee [, IF HE BECOMES ACTIVE MORE THAN FIVE MONTHS BEFORE
27 JANUARY 1 FOLLOWING,] and a completed form provided by the department.
28 [IN THE FORM HE SHALL STATE THE DATE ON WHICH HE INTENDS TO BECOME
29 ACTIVE. HIS ACTIVE STATUS BEGINS ON THE DATE STATED.] The department

1 shall send him a license certificate. A person is entitled to change
2 from an inactive to an active status without examination if he has not
3 been inactive more than three years. If he has been inactive more than
4 three years, he is required to take an examination.

5 * Sec. 111. AS 08.98.070 is amended to read:

6 Sec. 08.98.070. DUTIES OF THE DEPARTMENT. The department shall
7 furnish the board with administrative services, including renting space
8 for holding examinations, printing and mailing licenses, sending notices
9 [, BEFORE DECEMBER 1 OF EACH YEAR,] that licenses must be renewed,
10 collecting fees and issuing receipts, keeping a current register of
11 licensees, employing secretarial assistants, replying to routine re-
12 quests for information, printing forms and informational bulletins,
13 typing all matter to be reproduced, maintaining records and completed
14 examinations, and keeping records of receipts and disbursements.

15 * Sec. 112. AS 08.98.160 is amended to read:

16 Sec. 08.98.160. REEXAMINATION. A person who fails an examination
17 may apply for a subsequent examination, but shall pay the examination
18 fee set in accordance with AS 08.01.065 each time he applies.

19 * Sec. 113. AS 08.98.170(4) is amended to read:

20 (4) has paid the fee set under [SPECIFIED IN] AS 08.98.190;

21 * Sec. 114. AS 08.98.190 is repealed and re-enacted to read:

22 Sec. 08.98.190. FEES. Fees shall be set in accordance with AS 08.-
23 01.065 for the following categories:

- 24 (1) examination;
25 (2) reciprocity;
26 (3) initial license;
27 (4) license renewal;
28 (5) temporary license.

29 * Sec. 115. AS 08.99 is amended by adding a new section to read:

1 Sec. 08.99.085. FEES. Licensing and examination fees shall be set
2 in accordance with AS 08.01.065.

3 * Sec. 116. AS 08.04.190; AS 08.12.190; AS 08.20.190; AS 08.28.140(3);
4 AS 08.32.050; AS 08.64.320; AS 08.80.090; AS 08.86.070(4); AS 08.88.191(d);
5 and AS 08.99.080(a)(6) are repealed.

6 * Sec. 117. Section 15 and secs. 17 - 116 of this Act take effect 60 days
7 after the convening of the next regular session of the legislature.

8 * Sec. 118. Sections 1 - 14, 16, 117 and 118 take effect immediately in
9 accordance with AS 01.10.070(c).

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