

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

<p><u>REQUEST</u> Bill/Resolution No.: <u>CSHB 78 (L&C)</u> Title: <u>Establishment of occupational Licensing Fees</u> Sponsor: <u>House Labor & Commerce</u> Requestor: <u>House Finance</u> Date of Request: <u>3/8/85</u></p>	<p><u>FISCAL DETAIL</u> Agency Affected: <u>Commerce</u> Program Category Affected: <u>Consumer Protection</u> BRU, Program or Subprogram(s) Affected: <u>Occupational Licensing</u></p>
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EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE		Indeterminable at this time				

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The requested travel and contractual funds are not necessary since the teleconference network is available to perform the same function. Revenues generated by the bill will depend on how much is spent by the Division on the board each year and how many licensees there are in a given fiscal year. See attached proposed formula.

Prepared By: Al Adams - Chair *ARA* Phone: 465-3706
 Division: House Finance Date: 3/8/85

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

PROPOSED FEE FORMULA

- 1) Actual Division cost allocated to a particular board for a fiscal year;
..... +
- 2) Cost of Board and License Examiners travel and per diem for a fiscal year;
..... +
- 3) Contractual costs for the Board for a fiscal year;
..... -
- 4) Subtract examination costs from the contractual costs;
..... ÷
- 5) Divide the above total by the number of licensees;
..... =
- 6) Base application fee (i.e. comity, credentialling, endorsement);
Exam application fee = Base fee + cost of examination.

$$\text{(Total Division Cost)} + \text{(Board/Examiner)} + \text{(Contractual)} - \text{(Examination Costs)} = \text{Total \& Per diem}$$

BASE LICENSE/APPLICATION FEE

EXAMPLES

Based on the proposed fee formula, the following two examples are suggested:

1) MEDICAL LICENSURE: (High)

$$\begin{array}{rccccccccc} 70.8 & + & 14.1 & + & 7.4 & = & 92.3 & - & .8 & = & 91.5 \\ \text{(Div. cost)} & & \text{(Tvl/PD)} & & \text{(Contractual)} & & & & \text{(Exam cost)} & & \text{(Total Bd cost)} \end{array}$$

$$91.5 \div 1393 \text{ (licensees)} = \$ 65.69 \text{ (Base annual license fee)}$$

$\$65.69 \times 4 = \262.76 for current 4 year license. A reduction from the current cost of \$600 for four years.

This example is the basic formula that will be used with the additional computations for each category under a particular licensing authority.

2) NURSING LICENSURE: (Low)

$$\begin{array}{rccccccccc} 166.4 & + & 14.6 & + & 10.1 & = & 191.1 \\ \text{(Div. cost)} & & \text{(Tvl/Pd)} & & \text{(Contractual)} & & \text{(Total Bd cost)} \end{array}$$

$$\begin{array}{rccccccccc} 191.1 & - & 3.0 & = & 188.1 & \div & 6261 \text{ (licensees)} & = & \$ 30.04 \\ \text{(Total Bd cost)} & & \text{(Exam cost)} & & & & & & \text{(Base annual fee)} \end{array}$$

Base annual license fee = \$30.04

Examination application/license fee = $\$30.04 + 25.00 = \$ 55.04$

$30.04 \times 2 = \$60.08$ (Biennial license fee); an increase from the current license fee of \$50 for RN's and \$30 for LPN's.

Offered: 2/25/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 78 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to occupational licensing fees; and
7 providing for an effective date."

8

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

9

Section 1. AS 08.01.010 is amended to read:

10

Sec. 08.01.010. APPLICABILITY OF CHAPTER. This chapter applies

11

to the

12

(1) Board of Public Accountancy (AS 08.04.010);

13

(2) [REPEALED

14

(3) REPEALED

15

(4)] Board of Chiropractic Examiners (AS 08.20.010);

16

[(5) REPEALED]

17

(3) [(6)] Board of Dental Examiners (AS 08.36.010);

18

(4) [(7)] Board of Electrical Examiners (AS 08.40.010);

19

(5) [(8)] State Board of Registration for Architects,

20

Engineers and Land Surveyors (AS 08.48.011);

21

(6) [(9)] State Medical Board (AS 08.64.010);

22

(7) [(10)] Board of Nursing (AS 08.68.010);

23

(8) [(11)] Board of Examiners in Optometry (AS 08.72.010);

24

(9) [(12)] Board of Pharmacy (AS 08.80.010);

25

[(13) REPEALED]

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(10) [(14)] Board of Veterinary Examiners (AS 08.98.010);

27

(11) [(15)] Board of Psychologist and Psychological Asso-

28

ciate Examiners (AS 08.86.010);

29

[(16) REPEALED

- 1 (17) REPEALED]
- 2 (12) [(18)] Board of Marine Pilots (AS 08.62.010);
- 3 (13) [(19)] Board of Dispensing Opticians (AS 08.71.010);
- 4 (14) [(20)] Guide Licensing and Control Board (AS 08.54-
- 5 .010);
- 6 (15) [(21)] State Physical Therapy Board (AS 08.84.010);
- 7 (16) [(22)] Board of Nursing Home Administrators (AS 08.-
- 8 70.010);
- 9 (17) [(23)] regulation of professional geologists under
- 10 AS 08.02.011;
- 11 (18) [(24)] Board of Barbers and Hairdressers (AS 08.13-
- 12 .010);
- 13 (19) regulation of construction contractors under AS 08.18;
- 14 (20) regulation of collection agencies under AS 08.24;
- 15 (21) regulation of morticians under AS 08.42;
- 16 (22) regulation of concert promoters under AS 08.92.

17 * Sec. 2. AS 08.01 is amended by adding a new section to read:

18 Sec. 08.01.065. FEES ESTABLISHED BY REGULATION. (a) The de-

19 partment shall adopt regulations that establish the amount and manner

20 of payment of application fees, examination fees, license fees, regis-

21 tration fees, permit fees, investigation fees, and all other fees as

22 appropriate for the occupations covered by this chapter and for real

23 estate brokers and salesmen under AS 08.88.

24 (b) The department may not adopt a regulation under (a) of this

25 section unless the board responsible for regulating the affected

26 occupation concurs.

27 (c) A fee established under this section must reflect, to the

28 extent possible, the actual costs to the department of the activity

29 for which the fee is charged.

1 * Sec. 3. AS 08.01.100(b) is amended to read:

2 (b) A registration, license, permit, or certificate [CERTIFI-
3 CATES] requiring renewal to continue to be effective must be renewed
4 on or before the date set by the department or it will lapse. With
5 the concurrence of the appropriate board the department may establish
6 by regulation a [A] penalty [OF \$10 SHALL BE CHARGED IN ADDITION TO
7 ALL DELINQUENT RENEWAL FEES] for reinstatement of a registration,
8 license, permi, or certificate that [WHICH] remains lapsed for more
9 than 60 days. The penalty is in addition to delinquent renewal fees.

10 * Sec. 4. AS 08.04.190 is amended to read:

11 Sec. 08.04.190. EXAMINATION FEE. An [THE BOARD SHALL CHARGE
12 EACH APPLICANT A FEE OF \$50 FOR THE INITIAL EXAMINATION AND FOR EACH
13 REEXAMINATION. THE] applicant shall pay the appropriate fee at the
14 time of application for examination or reexamination.

15 * Sec. 5. AS 08.04.390 is amended to read:

16 Sec. 08.04.390. PERMIT FOR INDIVIDUAL PRACTICE AS A PUBLIC
17 ACCOUNTANT. The board shall issue a permit to engage in the practice
18 of public accounting to a holder of a certificate or license if all
19 offices of the certificate holder or licensee are maintained and
20 registered as required by AS 08.04.350 - 08.04.380. The permit is
21 valid for two years [THE BIENNIAL PERMIT FEE IS \$60].

22 * Sec. 6. AS 08.04.400 is amended to read:

23 Sec. 08.04.400. PERMIT FOR PARTNERSHIP OR CORPORATE PRACTICE AS
24 A PUBLIC ACCOUNTANT. The board shall issue a permit to engage in the
25 practice of public accounting as a partnership or as a corporation to
26 a partnership or corporation registered under AS 08.04.240. The
27 permit is valid for two years [THE BIENNIAL PERMIT FEE IS \$60]. A
28 permit is valid only for practice under the registered name of the
29 partnership or corporation. A partnership registered under

1 AS 08.04.330 - 08.04.340 on June 29, 1980, qualifies for a permit
2 under this section as long as each partner personally engaged in the
3 practice of public accounting in this state holds a license or permit
4 under AS 08.04.661.

5 * Sec. 7. AS 08.04.410 is amended to read:

6 Sec. 08.04.410. PERMIT FOR PERSON NOT ENGAGED IN PRACTICE. A
7 person holding a certificate or license who is not engaged in the
8 practice of public accounting may maintain the certificate or license
9 in good standing by registering with the board and paying an annual
10 registration fee [OF \$10].

11 * Sec. 8. AS 08.04.420 is amended to read:

12 Sec. 08.04.420. PERMIT FOR GENERAL PRACTICE AS A CERTIFIED
13 PUBLIC ACCOUNTANT. A certified public accountant, or a partnership or
14 corporation of certified public accountants in good standing in a
15 state, not holding a permit under AS 08.04.390 or 08.04.400 nor main-
16 taining an office in this state but engaging in the practice of public
17 accounting in this state, shall apply to the board for a permit to
18 practice. The board shall determine whether the applicant is eligible
19 for the permit. [THE ANNUAL FEE FOR THE ISSUANCE OF A PERMIT IS
20 \$100.]

21 * Sec. 9. AS 08.04.430 is amended to read:

22 Sec. 08.04.430. EXPIRATION AND RENEWAL. A permit or registra-
23 tion under this chapter, unless revoked or suspended, must [SHALL] be
24 renewed biennially upon payment of a renewal fee [IN THE SAME AMOUNT
25 AS THE INITIAL BIENNIAL FEE].

26 * Sec. 10. AS 08.04 is amended by adding a new section to article 4 to
27 read:

28 Sec. 08.04.495. FEES. The Department of Commerce and Economic
29 Development shall set fees under AS 08.01.065 for examinations,

1 reexaminations, permits, licenses, certificates and registrations.

2 * Sec. 11. AS 08.13.185 is repealed and reenacted to read:

3 Sec. 08.13.185. FEES. The Department of Commerce and Economic
4 Development shall set fees under AS 08.01.065 for initial licenses and
5 renewals for the following:

- 6 (1) schools;
- 7 (2) school owners;
- 8 (3) instructor;
- 9 (4) shop owner;
- 10 (5) practitioner of barbering;
- 11 (6) practitioner of hairdressing;
- 12 (7) practitioner of cosmetology;
- 13 (8) temporary permit;
- 14 (9) student permit.

15 (b) The Department shall set fees under AS 08.01.065 for exami-
16 nation and investigation.

17 * Sec. 12. AS 08.18.041 is repealed and reenacted to read:

18 Sec. 08.18.041. FEES. The Department of Commerce and Economic
19 Development shall set registration and renewal fees under AS 08.01.065
20 for the following:

- 21 (1) general contractor;
- 22 (2) specialty contractor.

23 * Sec. 13. AS 08.20.130(d) is amended to read:

24 (d) An applicant may take a reexamination within one year after
25 failing the examination [UPON PAYMENT OF A FEE OF \$10].

26 * Sec. 14. AS 08.20.180 is repealed and reenacted to read:

27 Sec. 08.20.180. FEES. (a) An applicant for an examination,
28 reexamination, issuance of a temporary permit, or initial issuance or
29 renewal of a license shall pay a fee established under AS 08.01.065.

1 (b) License renewal fees are due every four years.

2 * Sec. 15. AS 08.24.100(b) is amended to read:

3 (b) The [ANNUAL] operator's license is [SHALL BE] renewable on
4 or before July 1 of each second year [BEGINNING ON JULY 1, 1968, AND
5 THE BIENNIAL FEE IS \$100].

6 * Sec. 16. AS 08.24.110(a) is amended to read:

7 (a) To qualify for an operator's license, the applicant shall:

8 (1) [REPEALED,

9 (2)] be a high school graduate, or have the equivalent
10 education of a high school graduate;

11 (2) [(3)] be of good moral character;

12 (3) [(4)] not have been convicted of violating this chap-
13 ter, nor have any unsettled complaints under this chapter against the
14 applicant;

15 (4) [(5)] not have been convicted of a felony or a crime of
16 larceny or embezzlement or a crime involving moral turpitude;

17 (5) [(6)] be 19 years of age or older at the time of appli-
18 cation;

19 (6) [(7)] not be a disbarred attorney or have filed bank-
20 ruptcy;

21 (7) [(8)] pay the biennial license fee [WHICH IS FIXED AT
22 \$100].

23 * Sec. 17. AS 08.24.120(a) is amended to read:

24 (a) An application for an operator's license must [SHALL] be
25 made on forms furnished by the department and must [SHALL] contain the
26 information required in AS 08.24.110 and[, IN ADDITION,] the follow-
27 ing:

28 (1) a complete set of fingerprints;

29 (2) a 2" x 3" photograph showing a front view of head and

1 shoulders;

2 (3) if it is an original application, the [AN] application
3 fee [OF \$40];

4 (4) the biennial license fee [REQUIRED BY AS 08.24.100].

5 * Sec. 18. AS 08.24 is amended by adding a new section to read:

6 Sec. 08.24.135. FEES. The department shall set fees for
7 licenses and applications under AS 08.01.065 and shall set fines under
8 AS 08.01.100.

9 * Sec. 19. AS 08.24.140(a) is amended to read:

10 (a) The application must [SHALL] be accompanied by:

11 (1) if it is an original application, the [AN] application
12 fee [OF \$100];

13 (2) the biennial license fee for a collection agency [WHICH
14 IS FIXED AT \$200] for the principal place of business and the same
15 amount [\$200] for each branch office;

16 (3) a bond running to the state with a surety or sureties
17 to the satisfaction of the department, and conditioned that the li-
18 censee shall, within 30 days after the close of each calendar or
19 fiscal month, report and pay to the licensee's customers the net
20 proceeds due and payable of all collections made during the calendar
21 or fiscal month that exceed [WHICH EXCEEDS] \$20.

22 * Sec. 20. AS 08.24.200(b) is amended to read:

23 (b) If a licensee under this chapter is delinquent for a period
24 of 15 days in applying for the renewal of a license, the department
25 shall suspend the license and notify the licensee by certified mail or
26 by personal service. The notice must [SHALL] state that the license
27 will be revoked if application for renewal is not made within 15 days
28 after [FROM] the date on which the notice was mailed or personally
29 served. When a licensee has been delinquent more than 60 days in

1 renewing a license or certificate, the department shall charge an
2 additional penalty established under AS 08.01.100(b) before [FEE OF
3 \$50 FOR THE] renewal of the license.

4 * Sec. 21. AS 08.24.370 is amended to read:

5 Sec. 08.24.370. NONRESIDENTS. A nonresident may apply for and
6 receive a collection agency license or an operator license or both on
7 the same basis as a resident. The application fee and the biennial
8 license fee for nonresident operator and nonresident agency licensu
9 are double the same fees for a resident operator and agency estab-
10 lished by regulations under AS 08.01.065 [THE APPLICATION FEE FOR A
11 NONRESIDENT OPERATOR LICENSE IS \$100, AND THE BIENNIAL LICENSE FEE IS
12 \$200. THE APPLICATION FEE FOR A NONRESIDENT AGENCY LICENSE IS \$200,
13 AND THE BIENNIAL LICENSE FEE IS \$400 FOR THE PRINCIPAL PLACE OF BUSI-
14 NESS AND \$400 FOR EACH BRANCH OFFICE].

15 * Sec. 22. AS 08.32.097 is amended to read:

16 Sec. 08.32.097. FEES. The Department of Commerce and Economic
17 Development [DEPARTMENT] shall, by regulations adopted under AS 08.01-
18 .065 [AS 08.01.080], establish fees for dental hygienists for the
19 following:

- 20 (1) filing an examination and licensing application;
- 21 (2) examination fee;
- 22 (3) credential fee;
- 23 (4) initial license;
- 24 (5) registration fee;
- 25 (6) filing a reexamination application;
- 26 (7) duplicate license;
- 27 (8) delinquent registration.

28 * Sec. 23. AS 08.36.290 is amended to read:

29 Sec. 08.36.290. FEES. The department shall, by regulations

1 adopted under AS 08.01.065 [AS 08.01.080], establish fees for dentists
2 for the following:

- 3 (1) filing an examination and licensing application;
- 4 (2) examination fee;
- 5 (3) credential review;
- 6 (4) initial license;
- 7 (5) registration fee;
- 8 (6) filing a reexamination application;
- 9 (7) specialty license;
- 10 (8) branch office registration;
- 11 (9) duplicate license;
- 12 (10) delinquent registration.

13 * Sec. 24. AS 08.40.135(b) is amended to read:

14 (b) A lapsed license may be reinstated upon proof of continued
15 competency by payment of all unpaid renewal fees and any [A] penalty
16 fee established under AS 08.01.100(b), [OF \$25 FOR EACH YEAR THE
17 LICENSE HAS BEEN LAPSED] unless the license has been lapsed for more
18 than two years. If a person's license has been lapsed for more than
19 two years, the person is required to take an examination under AS 08.-
20 40.120.

21 * Sec. 25. AS 08.40.150 is repealed and reenacted to read:

22 Sec. 08.40.150. FEES. Each applicant and each licensee shall
23 pay application and renewal fees established by regulations adopted
24 under AS 08.01.065.

25 * Sec. 26. AS 08.42.100 is amended to read:

26 Sec. 08.42.100. FUNERAL ESTABLISHMENT PERMIT. After January 1,
27 1977, a person may not conduct, maintain, manage, or operate a funeral
28 establishment unless a permit for each establishment has been issued
29 by the department and is conspicuously displayed in the funeral

1 establishment. Each permit is [SHALL BE] valid only for one specific
2 location, and each firm [SEPARATE PERMITS SHALL BE REQUIRED OF TWO OR
3 MORE FIRMS] operating from the same funeral establishment shall obtain
4 a separate permit. The department shall issue a [A] permit to operate
5 a funeral establishment [SHALL BE ISSUED BY THE DEPARTMENT] upon
6 application for the permit on a form provided by the department. All
7 permits [SHALL] expire at the time established under AS 08.01.100 [ON
8 DECEMBER 31 OF EACH YEAR] and may be renewed for successive [ONE-YEAR]
9 terms. Violation of a provision of AS 08.42.090 by a person operating
10 a funeral establishment or, with that person's knowledge or consent,
11 by an employee is [SHALL BE] considered sufficient cause for sus-
12 pension or revocation of the funeral establishment permit.

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

14 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES.
15 Written examinations must [SHALL] be held at least twice each year at
16 places determined by the board unless the examination administered by
17 the board is a national examination prepared only once each year, in
18 which case the examination must [SHALL] be held at least once each
19 year. A candidate failing an examination may apply for reexamination.
20 [THE EXAMINATION FEE FOR APPLICANTS SHALL BE ESTABLISHED BY THE BOARD
21 AND SHALL ACCOMPANY THE APPLICATION.]

22 * Sec. 28. AS 08.48.231(b) is amended to read:

23 (b) The renewal of a certificate does not require reapplication
24 if the certificate has not expired or has not been suspended or re-
25 voked. [THE RENEWAL FEE FOR A CERTIFICATE MAY NOT EXCEED \$100.]

26 * Sec. 29. AS 08.48.231(c) is amended to read:

27 (c) An [RENEWAL OF AN] expired certificate may be renewed [EF-
28 FECTED] under regulations adopted [PROMULGATED] by the board estab-
29 lishing [REGARDING] requirements for [OF] reexamination [AND PENALTY

1 FEES].

2 * Sec. 30. AS 08.48 is amended by adding a new section to article 2 to
3 read:

4 Sec. 08.48.265. FEES. The Department of Commerce and Economic
5 Development shall set fees under AS 08.01.065 for examinations, regis-
6 trations, certificates of authorization, and renewals of a certifi-
7 cate.

8 * Sec. 31. AS 08.52.050 is amended to read:

9 Sec. 08.52.050. FEE [FEES]. An applicant for a certificate of
10 fitness shall pay a fee [OF \$75] at the time of application in the
11 amount established by regulations adopted by the department.

12 * Sec. 32. AS 08.54.160 is amended to read:

13 Sec. 08.54.160. LICENSING OF MARINE MAMMAL GUIDES. The board
14 may establish qualifications [, SET LICENSE FEES,] and issue licenses
15 for marine mammal guides.

16 * Sec. 33. AS 08.54.170(a) is repealed and reenacted to read:

17 (a) The Department of Commerce and Economic Development shall
18 set license fees under AS 08.01.065 for each of the following:

- 19 (1) master guide;
20 (2) registered guide;
21 (3) class A assistant guide;
22 (4) assistant guide;
23 (5) transporter.

24 * Sec. 34. AS 08.54.180 is amended to read:

25 Sec. 08.54.180. EXAMINATION FEE. An applicant for a guide
26 examination shall pay a fee established by regulations adopted under
27 AS 08.01.065 [OF \$25].

28 * Sec. 35. AS 08.62.140 is repealed and reenacted to read:

29 Sec. 08.62.140. FEES. The department shall set fees under

1 AS 08.01.065 for applications, licenses, and agent registrations.

2 * Sec. 36. AS 08.64.260(c) is amended to read:

3 (c) Applicants failing portions of part I or part II of the
4 examination may retake the portions failed at a prorated fee [PRE-
5 SCRIBED IN THE REGULATIONS BY THE BOARD].

6 * Sec. 37. AS 08.64.260(d) is amended to read:

7 (d) Applicants failing part III of the examination shall retake
8 the entire part at a prorated fee [PRESCRIBED IN THE REGULATIONS BY
9 THE BOARD].

10 * Sec. 38. AS 08.64.275(d) is amended to read:

11 (d) Within 10 days after [FROM] the permit has been granted
12 [GRANTING OF THE PERMIT], the board member shall forward [THE FEE] to
13 the department [WITH] a report of the issuance of the permit.

14 * Sec. 39. AS 08.64.315 is repealed and reenacted to read:

15 Sec. 08.64.315. FEES. The department shall set fees under
16 AS 08.01.065 for each of the following:

- 17 (1) application;
- 18 (2) license by examination;
- 19 (3) license by endorsement or waiver of examination;
- 20 (4) temporary permit;
- 21 (5) locum tenens permit;
- 22 (6) license renewal, active;
- 23 (7) license renewal, inactive;
- 24 (8) license by reexamination.

25 * Sec. 40. AS 08.68.220 is repealed and reenacted to read:

26 Sec. 08.68.220. FEES. The Department of Commerce and Economic
27 Development shall set fees under AS 08.01.065 for each of the fol-
28 lowing:

- 29 (1) registered nursing:

- 1 (A) application;
2 (B) license by examination;
3 (C) license by endorsement;
4 (D) license renewal;
5 (E) temporary permit;
6 (2) practical or vocational nursing:
7 (A) application;
8 (B) license by examination;
9 (C) license by endorsement;
10 (D) license renewal;
11 (E) temporary permit.

12 * Sec. 41. AS 08.70.150 is repealed and reenacted to read:

13 Sec. 08.70.150. FEES. The department shall set fees under
14 AS 08.01.065 for examination and investigation of persons applying for
15 a license, initial license, and license renewal.

16 * Sec. 42. AS 08.71.120 is repealed and reenacted to read:

17 Sec. 08.71.120. FEES. The department shall set fees under
18 AS 08.01.065 for examination, initial license, and license renewal.

19 * Sec. 43. AS 08.71.130(b) is amended to read:

20 (b) If the license is not renewed on or before the [THAT] date
21 set by the department under (a) of this section, the license lapses.
22 Before [, IT SHALL LAPSE. A PENALTY OF \$10 SHALL BE CHARGED, IN
23 ADDITION TO ALL DELINQUENT FEES, FOR THE] reinstatement of a license
24 that has remained [WHICH REMAINS] lapsed for more than 60 days, the
25 applicant must pay all delinquent renewal fees and any penalty estab-
26 lished under AS 08.01.100(b).

27 * Sec. 44. AS 08.72.191 is repealed and reenacted to read:

28 Sec. 08.72.191. FEES. The department shall set fees under
29 AS 08.01.065 for the following:

- 1 (1) examination;
- 2 (2) reexamination for the written portion;
- 3 (3) waiver of examination;
- 4 (4) certificates;
- 5 (5) renewal;
- 6 (6) branch office registration and renewal.

7 * Sec. 45. AS 08.80.160 is repealed and reenacted to read:

8 Sec. 08.80.160. FEES. The Department of Commerce and Economic
9 Development shall set fees under AS 08.01.065 for the following:

- 10 (1) examination;
- 11 (2) reexamination;
- 12 (3) investigation for licensing by credentials;
- 13 (4) pharmacist license;
- 14 (5) temporary license;
- 15 (6) wholesale drug dealer license;
- 16 (7) retail pharmacy license;
- 17 (8) pharmacy intern registration;
- 18 (9) emergency permit;
- 19 (10) hospital pharmacy license (inpatient and outpatient);
- 20 (11) hospital drug room license (inpatient);
- 21 (12) nursing home and related facilities license for in-
22 patient dispensing;
- 23 (13) license amendment or replacement.

24 * Sec. 46. AS 08.84.032 is amended to read:

25 Sec. 08.84.032. FOREIGN-TRAINED PHYSICAL THERAPY OR PHYSICAL
26 THERAPY ASSISTANT APPLICANTS. To be eligible for licensure by the
27 board as a physical therapist or physical therapy assistant, an appli-
28 cant who is a graduate of a school of physical therapy that [WHICH] is
29 located outside of the United States shall

1 (1) have completed, to the satisfaction of the board, a
2 resident course of study and professional instruction equivalent to
3 that provided by a school approved by the Council on Medical Education
4 and Hospitals of the American Medical Association or the American
5 Physical Therapy Association, and furnish documentary evidence of
6 compliance with this paragraph, translated, if necessary, into the
7 English language by a person verifying the accuracy of the transla-
8 tions;

9 (2) have completed, to the satisfaction of the board, an
10 internship under the continuous direction and immediate supervision of
11 a physical therapist in an institution that [WHICH] ordinarily pro-
12 vides physical therapy and is approved by the board, for that period
13 of time specified by the board, and furnish documentary evidence of
14 compliance with this paragraph;

15 (3) pass an oral examination administered by a member of
16 the board;

17 (4) have met applicable requirements under the federal
18 Immigration and Nationality Act (8 U.S.C. 1101 et seq.), unless a
19 United States citizen;

20 (5) pass the examination administered by the board under
21 AS 08.84.030(3); and

22 (6) pay the fee required [PRESCRIBED] under AS 08.84.050
23 [AS 08.84.050(2) AND (3)].

24 * Sec. 47. AS 08.84.050 is repealed and reenacted to read:

25 Sec. 08.84.050. FEES. The Department of Commerce and Economic
26 Development shall set fees under AS 08.01.065 for the following:

- 27 (1) application;
28 (2) license by examination;
29 (3) license by acceptance of credentials;

- 1 (4) renewal;
2 (5) temporary permit.

3 * Sec. 48. AS 08.84.100(b) is amended to read:

4 (b) Before [A PENALTY OF \$10 SHALL BE CHARGED IN ADDITION TO ALL
5 DELINQUENT RENEWAL FEES FOR] reinstatement of a license that [WHICH]
6 remains lapsed for more than 60 days, the applicant must pay all
7 delinquent renewal fees and any penalty established under AS 08.01.-
8 100(b). If a [THE] license remains lapsed for more than three years,
9 the board may require the applicant to take and pass the examination
10 given under AS 08.84.030(3).

11 * Sec. 49. AS 08.86.140 is repealed and reenacted to read:

12 Sec. 08.86.140. FEES. (a) The department shall set fees under
13 AS 08.01.065 for the following:

- 14 (1) application;
15 (2) examination;
16 (3) credential review;
17 (4) initial license;
18 (5) license renewal.

19 (b) A license must be renewed every four years.

20 * Sec. 50. AS 08.88.221 is repealed and reenacted to read:

21 Sec. 08.88.221. FEES. The Department of Commerce and Economic
22 Development shall set fees under AS 08.01.065 for a real estate
23 broker, associate broker, or salesman licensee or applicant for the
24 following:

- 25 (1) examination;
26 (2) reciprocity;
27 (3) initial license;
28 (4) renewal of an active license;
29 (5) renewal of an inactive license;

1 (6) amending or transferring a license.

2 * Sec. 51. AS 08.92.020 is amended to read:

3 Sec. 08.92.020. FEES. (a) An applicant for a promoter's cer-
4 tificate of registration shall pay an original registration fee estab-
5 lished by regulations adopted under AS 08.01.065 [OF \$75].

6 (b) The biennial fee for the renewal of a registration certifi-
7 cate is also established by regulations adopted under AS 08.01.065
8 [\$40].

9 * Sec. 52. AS 08.98.180 is amended to read:

10 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the
11 requirements of AS 08.98.165(a)(1) and (5) is entitled to be tempo-
12 rarily licensed after applying for examination, if the person works
13 under the supervision of a licensed veterinarian. A license issued
14 under this section is valid until the results of the examinations are
15 published. A person may not receive more than one temporary license.
16 An application for a temporary license must be signed by the supervis-
17 ing veterinarian and accompanied by the temporary license fee required
18 [AS PRESCRIBED] under AS 08.98.190.

19 * Sec. 53. AS 08.98.190 is repealed and reenacted to read:

20 Sec. 08.98.190. FEES. The department shall set fees under
21 AS 08.01.065 for the following:

- 22 (1) application;
23 (2) examination;
24 (3) investigation of credentials;
25 (4) license;
26 (5) license renewal;
27 (6) temporary license;
28 (7) temporary permit.

29 * Sec. 54. The following are repealed AS 08.13.200; AS 08.20.190;

1 AS 08.32.050; AS 08.48.201(b), 08.48.241(i); AS 08.54.170(c); AS 08.64.290,
2 08.64.320; AS 08.80.090.

3 * Sec. 55. Sections 1 - 3 of this Act take effect immediately in accor-
4 dance with AS 01.10.070(c).

5 * Sec. 56. Sections 4 - 54 of this Act take effect on the effective
6 date of regulations adopted under AS 08.01.065, enacted in sec. 2 of this
7 Act.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 78 (L&C)
 Title: Establishment of Occupational Licensing fees by regulations
 Sponsor: House Labor & Commerce
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: _____
Consumer Protection
 BRU, Program or Subprogram(s) Affected: _____
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		-0-				
200 TRAVEL		20.3				
300 CONTRACTUAL		13.8				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		34.1	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		34.1	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		34.1	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This bill would amend each licensing fee structure for the various professions with the concurrence of the particular board, licensed under Title 8 of the Alaska Statutes, and allow the fee structure to be set by regulations.

To increase or decrease present licensing fees requires new legislation which previously has not been considered priority legislation. The inability to modify present fees has caused wide disparity between mandated fees and operating costs.

Prepared By: Jennifer Strickler, Management Analyst Phone: 465-2144
 Division: Occupational Licensing Date: 2-22-85

Approved by Commissioner: Loren H. Lounsbury Date: 2/22/85
 Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

FISCAL IMPACT: Occupational Licensing Fee Bill

200 TRAVEL:

One staff person to meet and consult with individual boards before public hearings are conducted and again after the public hearings are concluded on the proposed fee structures. It is anticipated that one-third of the board meetings be held in Anchorage, one-third in Fairbanks and the remaining one-third in Juneau. Travel expenses would be incurred for Anchorage and Fairbanks only.

12 trips to Anchorage - 2 days each (6 boards)
Transportation: 1 person @ \$400.00 each x 12 = \$ 4,800.00
Per Diem: 24 days @ \$80.00 per day = 1,920.00

12 trips to Fairbanks - 2 days each (6 boards)
Transportation: 1 person @ \$610.00 each x 12 = 7,320.00
Per Diem: 24 days @ \$90.00 per day = 2,160.00

1 staff to conduct regulation hearings in Anchorage and Fairbanks on license fee structure (4 trips):

2 trips to Anchorage - 6 days each
Transportation: 1 person @ \$400.00 x 2 = 800.00
Per Diem: 12 days @ \$80.00 = 960.00

2 trips to Fairbanks - 6 days each
Transportation: 1 person @ \$610.00 x 2 = 1,220.00
Per Diem: 12 days @ \$90.00 = 1,080.00

NOTE: It is anticipated that travel costs for FY '87 and successive years will be absorbed in the agency's budgeting process.

\$ 20,260.00

300 CONTRACTUAL:

Rental charges for meeting rooms for holding public hearings on license fee settings: 24 days of public hearings @ \$200.00 per day = \$ 4,800.00

Printing of materials, statute and regulation booklets (estimated costs) = 8,000.00

OCUPATIONAL LICENSING FEE BILL, continued

Advertising - required state-wide advertising of public notices of regulation hearings on proposed license fee structures (estimated costs) = 1,000.00

NOTE: It is anticipated that contractual costs for FY '87 and successive years will be absorbed in the agency's budgeting process.

GRAND TOTAL:

\$ 13,800.00

\$ 34,060.00

PROJECTED REVENUE:

In an attempt to equalize the operating budget with revenue, it will be necessary to revise existing licensing fee structures to provide the additional revenue required.

The initial projection is to increase the license fees of various professions and licensure categories to off-set the deficit for FY '87 and project an annual increase of 15.0% for inflation factors.

No revenue is projected for FY '86 as it is anticipated that it would require the majority of the fiscal year to implement all the necessary license fee changes.

FY 84
BOARDS AND COMMISSIONS

BOARD/TRADE:	# LICENSEES	* AVERAGE ANNUAL REVENUES	EXPENDITURES	+/-
ATHLETIC COMMISSION:	57	1.1	11.3	-[10.2]
A.E.L.S.:	4097	144.2	167.9	-[23.7]
BARBERS & HAIRDRESSERS:	2595	106.2	96.5	-[9.7]
CHIROPRACTORS:	168	2.9	37.2	-[34.3]
COLLECTION AGENCIES:	51	7.9	26.0	-[18.1]
CONTRACTORS:	7495	671.6	137.7	533.9
CONCERT PROMOTERS:	7	1.2	21.0	-[19.8]
DENTAL:	760	18.9	103.1	-[84.2]
DISPENSING OPTICIANS:	67	2.2	33.3	-[31.1]
ELECTRICAL ADMINISTRATORS:	487	71.0	71.7	-[.7]
GEOLOGISTS:	121	-0.0-	21.0	-[21.0]
GUIDES:	1348	46.2	126.4	-[80.2]
MEDICAL:	1393	48.6	92.3	-[43.7]
MARINE PILOTS:	76	1.7	43.8	-[42.1]
MORTUARY SCIENCE:	121	1.2	23.9	-[22.7]
NURSING:	6261	87.2	191.1	-[103.9]
NURSING HOME ADMIN.:	56	1.7	28.1	-[26.4]
OPTOMETRY:	92	2.1	35.8	-[33.7]
PHARMACY:	338	22.5	93.3	-[70.8]
PHYSICAL THERAPY:	149	5.0	34.5	-[29.5]
PSYCHOLOGY:	104	4.0	40.0	-[36.0]
PUBLIC ACCOUNTANCY:	638	41.8	79.5	-[37.7]
VETERINARY:	161	5.0	39.0	-[34.0]
		1,294.2	1,554.4	

* Average Annual Revenues are based on an average of revenues collected within a renewal period. The licensing renewal periods vary among the various occupations some expiring annually, biennial, and others quadrennial.

COMMENTS:

- 1) The expenditures do not include costs of legal services.
- 2) The Division of Occupational Licensing provides support to:

- 17 Professional Boards
 - 1 Commission
 - 5 Trades
 - 1 Committee

24 Licensing Functions

(Within the 24 licensing functions, the division issues licenses in 100 different categories.)

- 3) Expenditures include:

- Board travel & per diem
- National Membership Dues
- Examinations
- Examination Proctors
- Printing and Advertising
- Telephones

Expenditures also include the allocated division personal services costs for the particular board.

FY 84
 BOARD ALLOCATIONS vs. ACTUAL EXPENSES
 (Travel and Per Diem only)

BOARD:	ALLOCATION	EXPENSE	+/-
ATHLETIC COMMISSION:	(not applicable)		
A.E.L.S.:	18.2	19.8	-[1.6]
BARBERS & HAIRDRESSERS:	10.1	12.6	-[2.5]
CHIROPRACTORS:	5.5	5.7	-[.2]
COLLECTION AGENCIES:	(not applicable)		
CONTRACTORS:	(not applicable)		
CONCERT PROMOTERS:	(not applicable)		
DENTAL:	12.2	10.4	1.8
DISPENSING OPTICIANS:	3.0	3.8	-[.8]
ELECTRICAL ADMINISTRATORS:	8.6	11.2	-[2.6]
GEOLOGISTS:	(not applicable)		
GUIDES:	10.2	8.2	2.0
MEDICAL:	11.1	14.1	-[3.0]
MARINE PILOTS:	6.8	5.9	.9
MORTUARY SCIENCE:	(not applicable)		
NURSING:	15.0	14.6	.4
NURSING HOME ADMIN.:	3.3	2.6	.7
OPTOMETRY:	3.4	4.0	-[.6]
PHARMACY:	10.6	11.6	-[1.0]
PHYSICAL THERAPY:	5.2	5.1	.1
PSYCHOLOGY:	7.8	7.2	.6
PUBLIC ACCOUNTANCY:	12.1	9.8	2.3
VETERINARY:	6.4	5.7	.7
	<u>149.5</u>	<u>152.3</u>	
TOTAL BUDGET ALLOCATION	152.4	152.3	= .1

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

BILL SHEFFIELD, GOVERNOR

POUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 465-2534

March 13, 1985

The Honorable Steve Frank
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Frank:

This correspondence is to reflect this agency's approach should House Bill 78 be successful this legislative session. The major concern is, "What if a board does not concur with the department in a proposed fee?"

Our position is to include the particular board in the initial steps. We would present the purpose and proposed formula for their consideration. We would ask their involvement throughout the project.

Although we would hope to have a cooperative effort and do not anticipate problems in the setting of fees, if it were to occur, the following would be our view of the next steps:

1. To involve the Governor's office, including asking for a review by the Office of Management and Budget if necessary.
2. Seek assistance from the Department of Law - Regulations Attorney.
3. If all else were to fail, we would seek legislative assistance during the "sunset" review process.

We are confident that AS 44.62 provides sufficient statutory authority to resolve differences in adopting regulations.

Representative Frank

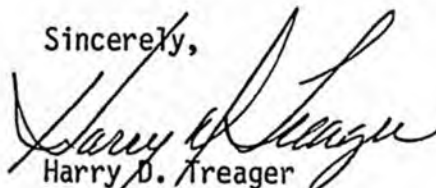
-2-

March 13, 1985

During the House Labor and Commerce Committee hearings, fifteen members of various licensing boards testified in favor of the bill. We do not anticipate any problems in adjusting the fees and seeking concurrence by the respective boards.

If we can provide you with further information, please contact this office.

Sincerely,



Harry D. Treager
Director

HDT/1t2422t
031385b

ISSUES IDENTIFIED
AS
PRIORITIES

The following issues were identified and agreed upon by the participants at the Occupational Licensing Board Chairmen's meeting held in Juneau on August 15, 1984. These issues were felt to be of pressing importance and are directed at the Administration and the Legislature for action within the next fiscal year.

1. The lack of travel funds for Occupational Licensing Boards for the remainder of FY85 will present major problems in the service of the public.

RECOMMENDATION: That travel funds be restored to the FY84 level.

2. The Division of Occupational Licensing has experienced a rapid increase in workload without a corresponding staff increase over the past several years.

RECOMMENDATION: That new staff be added especially investigators, licensing examiners, and clerical personnel.

RECOMMENDATION: That the Division of Occupational Licensing automate more routine and administrative tasks.

RECOMMENDATION: That consideration be given to grouping health professional boards and hiring appropriate staff to assist in licensing function.

3. Legal assistance to the Occupational Licensing function is inconsistent and confusing to the Board members. Also, investigations take too long. At least one board is facing loss of legal assistance.

RECOMMENDATION: That the Attorney General look into the legal assistance required by the Board of Guide Licensing & Control and provide appropriate level of legal assistance.

RECOMMENDATION: That the Attorney General look into ways to handle investigations and case resolutions in a more timely manner.

RECOMMENDATION: That a training program for Board members be instituted which includes training on state laws, procedures, and legal aspects of Board decisions.

4. There are outdated and conflicting statutes governing the operations of the Occupational Licensing Boards and their duties.

RECOMMENDATION: That legislation be submitted that brings Title 8 statutes into conformity with licensing practices, resolves conflict in the statutes, and provides some degree of uniformity.

RECOMMENDATION: That legislation be considered that sets licensing fees by regulation adopted by Boards rather than by statute which is so difficult and time-consuming to change.

RECOMMENDATION: That the ambiguities surrounding the legality of votes taken by teleconference be resolved through legislation so as to permit Boards to consider regulatory revisions more consistently.

5. The design of certain examinations and the administrative procedures used in administering exams needs review to ascertain effectiveness.

RECOMMENDATION: That the Division of Occupational Licensing consider bringing in an expert in Occupational testing as a consultant to review existing exams for content, paperflow and procedures, and conformity with national standards.

LEGAL/LEGISLATIVE ISSUES

1. Confusion exists with regard to the boards' relationship to the Attorney General's Office. New board members do not know what to do in this regard.

RECOMMENDATION: A training session should be held for new members, with either a training manual or a teleconference used to assist in the effort. This would help to alleviate problems.

2. There have been instances in which boards refused to repeal illegal regulations and did not heed Attorney General's Opinions. The boards felt they would probably have to accept the AG's advise or go to court.

RECOMMENDATION: There should be more communication between the boards and the Attorney General's Office in order to prevent matters from reaching this stage.

3. Use of teleconferencing might aid in regulatory and statutory work. Infrequent meetings present an obstacle for this type of work to occur.

RECOMMENDATION: Training sessions would be helpful in this regard, although the initial feeling was that teleconferencing could not be used for work on regulatory and statutory changes.

RECOMMENDATION: Ambiguities regarding the legality of votes taken in teleconference meetings need to be legislated.

BUDGET ISSUES

1. The boards' static budgets and increased workloads present a problem.

RECOMMENDATION: The boards will meet with Commissioner Lyon and Governor Sheffield to discuss: 1) participation at national meetings; 2) increased staff of Occupational Licensing; 3) increased funding for investigations and inspections.

RECOMMENDATION: The Division is requested to give the boards the total budget picture in a written format.

RECOMMENDATION: The boards recognize the potential for increased teleconferencing of meetings, but not as a substitute for regular board meetings.

2. Miscellaneous budget problems affecting the boards were discussed.

RECOMMENDATION: New board members should get together with staff and receive face-to-face training.

RECOMMENDATION: The complaint and investigative process should be streamlined. This can be effected with more communication with both the Attorney General's Office and the Division of Occupational Licensing.

RECOMMENDATION: The training packet put together by the Division of Occupational Licensing is good, but it should be supplemented by training involving both the board member and the Division staffer in its review.

RECOMMENDATION: In the area of licensing, the emphasis will be on the applicant to do more work and absorb more of his/her own expense.

Several questions were asked of the Budget Team, but no specific answers were recorded:

- a. Was the legality of the statutory meetings mandated versus the travel funds available discussed?
- b. Was a supplemental appropriation for this fiscal year discussed?
- c. Did the Budget Team talk about the revenue side of the picture?

MANAGEMENT ISSUES

1. There is a problem with staff availability.

RECOMMENDATION: The number of staff in the Division should be increased, or an efficiency review should be performed.

2. The board members expressed concerns with their exams, regulatory/statutory changes, discipline, penalties, etc.

RECOMMENDATION: There should be more communication between boards and staff regarding licensing, examination, investigations, etc.

RECOMMENDATION: With regard to matters like regulatory development, flow charts and task assignments should be implemented.

RECOMMENDATION: Special projects, such as procedure manuals or outside consultants, should be undertaken. Perhaps a consultant could be used to free up staff time.

RECOMMENDATION: A redesign and critiquing of the whole exam process may be needed, perhaps by an outside consultant.

RECOMMENDATION: It may be necessary to change the Division forms.

RECOMMENDATION: Auditors should take a look at the regulatory process.

COMMUNICATIONS ISSUES

1. The boards need to be advised on the general policy of the Governor's Office regarding vacancies.

RECOMMENDATION: The board chairmen shall remain in close telephone contact with Carol Derfner's office to continue ongoing communication.

RECOMMENDATION: The boards will assist Ms. Derfner in increasing her resource bank for board appointments.

RECOMMENDATION: The boards recommended Ms. Derfner recruit for board vacancies via newspaper ads.

2. There are difficulties with the Attorney General's Office in inconsistent legal advise and differences of opinion on board matters.

RECOMMENDATION: The boards should get written AGO opinions.

3. The boards desire to retain control over their exams.

RECOMMENDATION: The boards should discuss this further with thought to handing more of administrative matters to Occupational Licensing staff.

4. The boards may have a certain attitude regarding Division staffers which needs to be addressed.

RECOMMENDATION: The boards show the Division more courtesy. There should be more communication regarding expectations. The job descriptions should be read.

Other recommendations are:

RECOMMENDATION: Training for attorneys and staff should occur.

RECOMMENDATION: There should be grouping assignments to one individual.

RECOMMENDATION: Regarding application forms and the problem in communicating with the applicants, the onus should be placed back on the applicant. Telephone calls from the applicants will result in faster feedback.

RECOMMENDATION: Regarding th consumer protection role of the boards, this should be emphasized in the press by reporting board activities and functions.

RECOMMENDATION: A computerized form may be drawn up to expedite the procedure with applications.

PLANS FOR IMPLEMENTATION

After the group reconvened as a whole following the Solution Exploration Sessions, the Chair presented how the information gathered would be handled by the Office of the Governor:

1. The participants would be presented with a report of the meeting.
2. The Office of the Governor would furnish the chairs of the boards with an analysis of what had transpired.
3. The Office of the Governor would advise the chairs of what, if anything, could be done to rectify the problems.
4. The point was reiterated that no one present at the meeting had the authority to decide on budget or legislative issues. It was the job of the chair, and of others present, to transmit the information which had been gathered at the meeting to those empowered to make decisions.
5. The Chair assured the group that they would be apprised on a regular basis of what was transpiring with regard to the issues raised that day.
6. An "ad hoc" group was appointed to assist the Chair in the implementation of the follow-through necessitated by the meeting:

Mike Cook, Board of Public Accountancy
Hugh Gellert, Medical Board
Sammye Rink, Board of Nursing
Terry Duszynski, Board of Electrical Examiners
and Carol Derfner, Office of the Governor

Prior to the meeting being adjourned, the Chair acknowledged that the goals set for the meeting had all been met.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 4, 1985

SUBJECT: Sectional Analysis of CSHB 78(L&C)
(Occupational licensing fees)

TO: Representative Al Adams
Chairman, Finance Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Legislative Counsel

You have asked for a sectional analysis of CSHB 78 (L&C). The bill removes specific licensing fee amounts from statute, removes the power to set fees from some regulatory boards, and directs the Department of Commerce and Economic Development to set licensing fees with the concurrence of the appropriate board.

Section 1 adds regulation of four activities (construction contractors, collection agencies, morticians, and concert promoters) to the list of occupational activities that are subject to AS 08.01, which provides for centralized licensing. Those activities are already subject to regulation by the Department of Commerce and Economic Development.

Section 2 adds a new section to require the department to adopt regulations that set fees for various occupational licensing activities. Subsection (b) prohibits the department from setting a fee unless the appropriate board concurs. Subsection (c) directs the department to set fee amounts that reflect the cost of the activity for which the fee is charged.

Section 3 permits the department to adopt regulations setting penalties for late renewals of registrations, licenses, permits and certificates. The department is required to have the concurrence of the appropriate board before setting a penalty amount.

Sections 4 - 10 amend the licensing provisions for accountants and certified public accountants to reflect the changes made by the first three sections of the bill. Specific fee amounts are deleted from the chapter and, in section 10, the Department of Commerce and Economic Development is directed to set fees.

Section 11 removes specific licensing fee amounts from the chapter regulating barbers and hairdressers and directs the department to set the fees.

Section 12 removes specific registration and renewal fee amounts for general and specialty contractors from statute and directs the department to set them.

Sections 13 and 14 remove a specific fee amount from statute and direct the department to set fees for the licensing of chiropractors.

Section 15 - 21 remove specific fee amounts from statute and direct the department to set fees for the licensing of collection agencies.

Sections 22 and 23 direct the department to set fees for dental hygienists and dentists under AS 08.01.65, enacted by section 2 of this bill. The department had authority to set fees for dental hygienists and dentists under its general regulation powers.

Sections 24 and 25 delete specific fee amounts and direct the department to set licensing fees for electrical administrators.

Section 26 clarifies language in AS 08.42.100 and deletes the specific expiration date for permits for morticians. The department already has authority to set fees related to the practice of mortuary science under AS 08.42.010.

Sections 27 - 30 remove authority for setting fees from the board, removes specific fee amounts from statute, and directs the department to set fee amounts for the regulation of architects, engineers and land surveyors.

Section 31 deletes a specific fee amount and directs the department to set fees for explosives handlers.

Representative Al Adams
March 4, 1985
page 3

Section 32 - 34 removes authority for setting fees from the Guide Licensing and Control Board, removes specific fee amounts from statute, and directs the department to set licensing fees.

Section 35 removes specific fee amounts from statute and directs the department to set licensing fees for marine pilots.

Section 36 - 39 removes authority for setting licensing fees from the State Medical Board, removes specific fee amounts from statute, and directs the department to set fees.

Section 40 removes specific fee amounts for licensing registered nurses from statute and directs the department to set those fees.

Section 41 removes specific fee amounts for licensing nursing home administrators from statute and directs the department to set those fees.

Section 42 and 43 remove specific fee and penalty amounts from the chapter regulating dispensing opticians and direct the department to set them.

Section 44 removes specific fee amounts from the chapter regulating optometrists and directs the department to set them.

Section 45 removes specific fee amounts from the chapter regulating pharmacists and directs the department to set them.

Sections 46 - 48 remove specific fee and penalty amounts from the chapter regulating physical therapists and directs the department to set them.

Section 49 removes specific fee amounts from the chapter regulating psychologists and psychological associates and directs the department to set them.

Section 50 removes specific fee amounts from the chapter regulating real estate brokers and salesmen and directs the department to set them.

Representative Al Adams
March 4, 1985
page 4

Section 51 removes specific fee amounts from the chapter regulating concert promoters and directs the department to set them.

Sections 52 and 53 remove specific fee amounts from the chapter regulating veterinarians and direct the department to set them.

Section 54 repeals five statutes which direct boards to deposit fees into the general fund. Since boards no longer collect fees, these provisions are not necessary. (AS 08.13.200, AS 08.20.190, AS 08.32.050, AS 08.64.320, and AS 08.80.090.) It repeals two subsections that limit the amount of fees a board may set. (AS 08.48.201(b) and 08.48.241(i).) It repeals AS 08.54.170(c) which sets a specific fee amount. The department will set the fee under the bill. And it repeals AS 08.64.290 which sets out when a board will collect or refund an examination fee.

Section 55 makes the sections giving the department authority for setting fees and penalties take effect immediately.

Section 56 makes the sections addressing specific fee amounts take effect after the department has adopted regulations relating to those fees.

If I may be of further assistance, please advise.

TBC:csh
c3/024

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 18, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

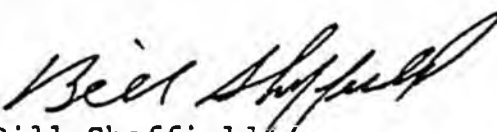
Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will authorize the Department of Commerce and Economic Development to establish occupational licensing fees by regulation, and that amends accordingly the various statutory provisions in AS 08 that now set those fees. This change will result in greater flexibility and ease of fee adjustment to accommodate inflation and other fluctuations in the costs of implementing the various licensing statutes. Currently, many Alaska licensing fees are low compared to those of other states, and revisions are necessary. This bill will enable the department to make the appropriate adjustments without unduly burdening the legislature with the task. This authority was granted to the department last year by ch. 100 SLA 1984 for fees involved in licensing dental hygienists and dentists.

The second and third sections of the bill authorize the department to set the fees and penalties by regulation to reflect costs, after consulting with the appropriate licensing board. Most of the remaining sections of the bill delete the current statutory fees and make other appropriate changes to statutes in the chapters concerning the various occupations affected.

I request your support for this bill which will greatly increase the efficiency and reduce the net cost of our occupational licensing programs.

Sincerely,


Bill Sheffield
Governor

M E M O R A N D U M

TO: All Members, House Labor and Commerce Committee

FROM: Committee Staff

DATE: January 31, 1985

SUBJ: Overview: HB 78

On Thursday, January 31, 1985, from 1:15 to 2:45, in Room 102 of the Capitol Building, the House Committee on Labor and Commerce will hold hearings on HB 78: "An Act relating to occupational licensing fees; and providing for an effective date," by Rules Committee by Request of the Governor.

There is no companion bill in the Senate on this, but there have been numerous previous attempts to pass similar versions of this bill. Governor Hammond submitted a request in 1979 with SB 94 and in 1982 with HB 662; Governor Sheffield submitted an almost identical version of this bill last year as SB 502, but this bill did not pass out of Senate Labor and Commerce Committee. However, in an interesting quirk, the legislature did pass out HB 611 last year, which gave the power to set fees by regulation to the Dept. of Commerce for Dentists and Dental Hygienists (Chapter 100 of SL 1984); and as your file indicates, the Dept. can also currently engage in some fee setting with the architects, engineers, and land surveyors.

One basic issue here is whether the legislature wishes to continue to have powers through the statutes to establish fees for the various occupational licensing boards, or whether through this bill that activity to set fees can be done through Departmental regulations.

The first two sections of the bill basically give authority to the Department to set fees for all of those boards, in order to make the Boards activities more cost effective and each pay their own way. Currently, the contractors are bringing in fees that are actually helping to pay for the activities of many other boards. There is a clause that requires them to check with the Boards in question while setting fees, so that the process is not unilateral. The rest of the bill, which appears to be long and intimidating with 55 sections, basically goes through the statutes and makes the necessary amendments or repeals regarding each individual occupational board in order to allow fees to be set by regulation.

The legislation affects almost all professional groups, whether they have established boards or not; including groups like contractors, concert promoters, and collection agencies. One interesting exception to this seems to be the lawyers, a professional group covered at present instead through the court system.

Some 18 Boards and Commissions are affected here; occasionally people refer to 19 Boards because they are counting the Athletic Commission which is being requested for transfer from the Governor's Office to the Dept. of Commerce by Executive Order # 60, to be heard next week in Committee. As your file indicates, the chairmen of the Boards involved have already agreed to fee increases, from their meetings of August 15, 1985 with Carol Derfner.

FY 84
BOARDS AND COMMISSIONS

BOARD/TRADE:	# LICENSEES	* AVERAGE ANNUAL REVENUES	EXPENDITURES	+/-
ATHLETIC COMMISSION:	57	1.1	11.3	-[10.2]
A.E.L.S.:	4097	144.2	167.9	-[23.7]
BARBERS & HAIRDRESSERS:	2595	106.2	96.5	9.7
CHIROPRACTORS:	168	2.9	37.2	-[34.3]
COLLECTION AGENCIES:	51	7.9	26.0	-[18.1]
CONTRACTORS:	7495	671.6	137.7	533.9
CONCERT PROMOTERS:	7	1.2	21.0	-[19.8]
DENTAL:	760	18.9	103.1	-[84.2]
DISPENSING OPTICIANS:	67	2.2	33.3	-[31.1]
ELECTRICAL ADMINISTRATORS:	487	71.0	71.7	-[.7]
GEOLOGISTS:	121	-0.0-	21.0	-[21.0]
GUIDES:	1348	46.2	126.4	-[80.2]
MEDICAL:	1393	48.6	92.3	-[43.7]
MARINE PILOTS:	76	1.7	43.8	-[42.1]
MORTUARY SCIENCE:	121	1.2	23.9	-[22.7]
NURSING:	6261	87.2	191.1	-[103.9]
NURSING HOME ADMIN.:	56	1.7	28.1	-[26.4]
OPTOMETRY:	92	2.1	35.8	-[33.7]
PHARMACY:	338	22.5	93.3	-[70.8]
PHYSICAL THERAPY:	149	5.0	34.5	-[29.5]
PSYCHOLOGY:	104	4.0	40.0	-[36.0]
PUBLIC ACCOUNTANCY:	638	41.8	79.5	-[37.7]
VETERINARY:	161	5.0	39.0	-[34.0]
		<u>1,294.2</u>	<u>1,554.4</u>	<u>260.2</u>

* Average Annual Revenues are based on an average of revenues collected within a renewal period. The licensing renewal periods vary among the various occupations some expiring annually, biennial, and others quadrennial.

COMMENTS:

- 1) The expenditures do not include costs of legal services.
- 2) The Division of Occupational Licensing provides support to:

- 17 Professional Boards
 - 1 Commission
 - 5 Trades
 - 1 Committee

24 Licensing Functions

(Within the 24 licensing functions, the division issues licenses in 100 different categories.)

- 3) Expenditures include:

- Board travel & per diem
- National Membership Dues
- Examinations
- Examination Proctors
- Printing and Advertising
- Telephones

Expenditures also include the allocated division personal services costs for the particular board.

FY 84
BOARD ALLOCATIONS vs. ACTUAL EXPENSES
(Travel and Per Diem only)

BOARD:	ALLOCATION	EXPENSE	+/-
ATHLETIC COMMISSION:	(not applicable)		
A.E.L.S.:	18.2	19.8	-[1.6]
BARBERS & HAIRDRESSERS:	10.1	12.6	-[2.5]
CHIROPRACTORS:	5.5	5.7	-[.2]
COLLECTION AGENCIES:	(not applicable)		
CONTRACTORS:	(not applicable)		
CONCERT PROMOTERS:	(not applicable)		
DENTAL:	12.2	10.4	1.8
DISPENSING OPTICIANS:	3.0	3.8	-[.8]
ELECTRICAL ADMINISTRATORS:	8.6	11.2	-[2.6]
GEOLOGISTS:	(not applicable)		
GUIDES:	10.2	8.2	2.0
MEDICAL:	11.1	14.1	-[3.0]
MARINE PILOTS:	6.8	5.9	.9
MORTUARY SCIENCE:	(not applicable)		
NURSING:	15.0	14.6	.4
NURSING HOME ADMIN.:	3.3	2.6	.7
OPTOMETRY:	3.4	4.0	-[.6]
PHARMACY:	10.6	11.6	-[1.0]
PHYSICAL THERAPY:	5.2	5.1	.1
PSYCHOLOGY:	7.8	7.2	.6
PUBLIC ACCOUNTANCY:	12.1	9.8	2.3
VETERINARY:	6.4	5.7	.7
	<u>149.5</u>	<u>152.3</u>	
TOTAL BUDGET ALLOCATION	152.4	152.3	= .1

PROPOSED FEE FORMULA

- 1) Actual Division cost allocated to a particular board for a fiscal year;
..... +
- 2) Cost of Board and License Examiners travel and per diem for a fiscal year;
..... +
- 3) Contractual costs for the Board for a fiscal year;
..... -
- 4) Subtract examination costs from the contractual costs;
..... ÷
- 5) Divide the above total by the number of licensees;
..... =
- 6) Base application fee (i.e. comity, credentialling, endorsement);
Exam application fee = Base fee + cost of examination.

$$\text{(Total Division Cost)} + \text{(Board/Examiner)} + \text{(Contractual)} - \text{(Examination Costs)} =$$

Tvl & Per diem

BASE LICENSE/APPLICATION FEE

EXAMPLES

Based on the proposed fee formula, the following two examples are suggested:

1) MEDICAL LICENSURE: (High)

$$\begin{array}{rccccccccc} 70.8 & + & 14.1 & + & 7.4 & = & 92.3 & - & .8 & = & 91.5 \\ \text{(Div. cost)} & & \text{(Tvl/PD)} & & \text{(Contractual)} & & & & \text{(Exam cost)} & & \text{(Total Bd cost)} \end{array}$$

$$91.5 \div 1393 \text{ (licensees)} = \$ 65.69 \text{ (Base annual license fee)}$$

\$65.69 x 4 = \$262.76 for current 4 year license. A reduction from the current cost of \$600 for four years.

This example is the basic formula that will be used with the additional computations for each category under a particular licensing authority.

2) NURSING LICENSURE: (Low)

$$\begin{array}{rccccccccc} 166.4 & + & 14.6 & + & 10.1 & = & 191.1 & & & & \\ \text{(Div. cost)} & & \text{(Tvl/Pd)} & & \text{(Contractual)} & & \text{(Total Bd cost)} & & & & \end{array}$$

$$\begin{array}{rccccccccc} 191.1 & - & 3.0 & = & 188.1 & \div & 6261 \text{ (licensees)} & = & \$ 30.04 & & \\ \text{(Total Bd cost)} & & \text{(Exam cost)} & & & & & & \text{(Base annual fee)} & & \end{array}$$

Base annual license fee = \$30.04

Examination application/license fee = \$30.04 + 25.00 = \$ 55.04

30.04 x 2 = \$60.08 (Biennial license fee); an increase from the current license fee of \$50 for RN's and \$30 for LPN's.

MANAGEMENT AUDIT OF THE DIVISION OF OCCUPATIONAL LICENSING

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OTHER ISSUES

We also reviewed areas of board interest and their possible impacts on the Division. These were:

- Revenues generated by licensing, and
- Budget constraints.

COST OF SERVICES VERSUS REVENUES

Using available information and estimates from the Division, we prepared the following tables. These tables show the approximate cost to the State for each of the licensing fields and the revenue generated for FY 83 (Table V), and average yearly revenue for a four-year period compared to FY 83 costs (Table VI).

DRAFT

TABLE V
LICENSING COSTS AND REVENUES
FOR FY 83

<u>Licensing Fields</u>	<u>Estimated Total Direct & Allocated State Costs</u>	<u>FY 83 Revenue</u>
Athletic Commission	\$ 2,303	\$ 640
Archit, Eng. & Land Sur.	313,924	85,195
Barbers & Hairdressers	201,192	122,375
Chiropractors	30,013	5,510
Collection Agencies	8,489	4,920
Concert Promoters	669	6,295
Contractors	135,642	361,641
Dental Board	106,554	24,726
Dispensing Opticians	12,548	2,030
Electrical Admin.	48,577	95,886
Geologists	2,084	-0-
Guides	135,030	45,607
Marine Pilots	24,772	20,420
Medical Board	112,231	103,264
Mortuary Science	7,555	5,645
Nursing	277,625	121,042
Nursing Home Admin.	5,333	3,020
Optometry	10,967	1,410
Pharmacy	48,520	8,362
Physical Therapy	16,535	13,195
Psychology	24,126	4,710
Public Accountancy	83,541	25,442
Veterinary	14,816	5,520
Totals	<u>7/ \$ 1,623,046</u>	<u>\$ 1,066,855</u>

7/ Costs included the following: Salaries for administrative licensing, investigative, and Department of Law staff; travel, contractual, and commodities. Does not include overtime.

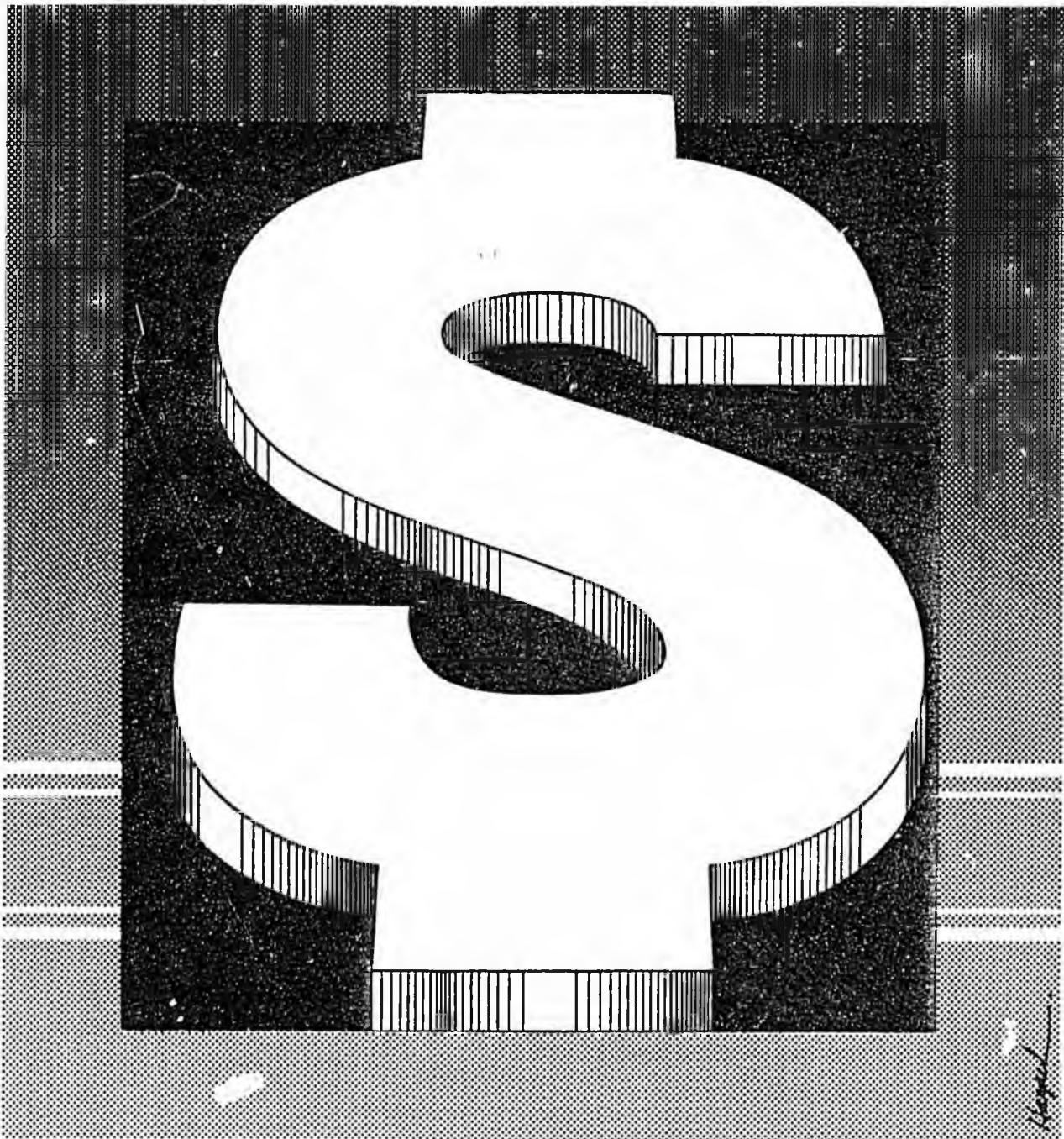
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TABLE VI
LICENSING COSTS AND AVERAGE
YEARLY REVENUE

<u>Licensing Fields</u>	<u>FY 83 Total Direct and</u> <u>Allocated State Costs</u>	<u>FY 81 - 84</u> <u>Average Yearly</u> <u>Revenue</u>
Athletic Commission	\$ 2,303	645
Archit, Eng. & Land Sur.	313,924	144,464
Barbers & Hairdressers	201,192	80,512
Chiropractors	30,013	3,681
Collection Agencies	8,489	7,353
Concert Promoters	669	1,574
Contractors	135,642	413,030
Dental Board	106,554	20,129
Dispensing Opticians	12,548	2,935
Electrical Admin.	48,577	42,843
Geologists	2,084	-0-
Guides	135,030	45,313
Marine Pilots	24,772	6,805
Medical Board	112,231	48,923
Mortuary Science	7,555	2,593
Nursing	277,625	74,315
Nursing Home Admin.	5,333	1,790
Optometry	10,967	1,522
Pharmacy	48,520	20,467
Physical Therapy	16,535	7,829
Psychology	24,126	4,815
Public Accountancy	83,541	45,570
Veterinary	14,816	3,903
Totals	<u>7/ \$ 1,623,046</u>	<u>\$ 981,011</u>

7/ Costs included the following: Salaries for administrative licensing, investigative, and Department of Law staff; travel, contractual, and commodities. Does not include overtime.

FINANCING PATTERNS OF HEALTH LICENSURE BOARDS



The National
Clearinghouse on Licensure,
Enforcement and Regulation
A Cooperating Organization of The Council of State Governments

The Council
of State
Governments



Financing Patterns of Health Licensure Boards is being distributed by the National Clearinghouse on Licensure, Enforcement and Regulation (CLEAR). CLEAR was organized in the fall of 1980 to respond to the information needs of state licensing officials. CLEAR's Steering Committee represents central licensure agency officials, licensure board members, legislators and staff, sunset agencies, attorneys' general staff, consumer agencies, and data systems staff. The Council of State Governments provides staff support for CLEAR.

This report was prepared by Frances Berry, Program Manager, Licensure and Regulation, and Diana Jones, Research Assistant, with typing assistance from Kim Duhart. The report's preparation was made possible, in part, because of financial support from the Bureau of Health Professions, Health Services and Resources Administration, U. S. Department of Health and Human Services, under contract no. HRA 232-79-0112. Under this contract, from 1979-1982, the Council of State Governments administered the Licensure Information System, a computerized data base containing the full texts of state law and professional licensure board regulations for some 44 health-related professions and occupations in the fifty states, D.C., Puerto Rico, Guam, and the Virgin Islands.

For more information on the National Clearinghouse on Licensure, Enforcement and Regulation, contact Fran Berry, Council of State Governments, Iron Works Pike, P. O. Box 11910, Lexington, KY 40578, (606) 252-2291.

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D
STATE OF ARIZONA

FINANCING PATTERNS OF HEALTH LICENSURE BOARDS

Introduction

Occupational licensing boards perform a wide variety of functions. They may be responsible for preparing and conducting licensure examinations, issuing licenses to qualified applicants, enforcing licensing laws, accrediting schools on the basis of a professional program, and initiating and carrying out disciplinary actions. In this report, The Council of State Governments examines the methods by which these and other board activities are financed.

Traditionally, the most common means of financing such boards was directly through the fees collected by the boards, with these fees being deposited in a special board account or fund. A 1952 Council of State Governments' publication, Occupational Licensing Legislation in the States, reported that two-thirds of all occupational licensing boards were financed entirely by fees. The other major financing method involved depositing the fees collected by the boards into the general fund and then financing board operations with general revenue funds appropriated by the legislature. Passage of an appropriations act may also have been required where fees were deposited in a special fund, but in such cases the legislature would often automatically appropriate sums equal to the amounts deposited in the fund.

A review of financing patterns in 1980 revealed that 55 percent of the states and territories generally finance their health licensure boards through the use of fees collected by those boards. There has been heated debate for many years over the appropriate method for financing board operations. The financing of boards from their own special accounts or funds has long been advocated by those who believe that fees collected from the licensed members of an occupation should only be used in the regulation of that occupation. Others, however, feel that this method discriminates against boards with small numbers of licensees, and also prohibits the legislature and various government agencies from exercising effective control, particularly financial control, over the boards. Proponents of general revenue funding may also argue that the licensing board's primary responsibility is protecting the public against incompetent practitioners, and that the general public (through tax revenues) should pay for this public function, not the professions under regulation.

Report Purposes and Methodology

Looking at the financing patterns of health licensure boards in the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands, an overall pattern is given for each state, with any known exceptions to this pattern or further explanation given in the footnotes. The financing pattern for each state encompasses three areas: (1) whether or not fees are deposited in a special account or fund; (2) whether or not the boards have their budgets reviewed and appropriations made by the legislature; and (3) whether or not the operating funds for the boards come from general revenue.

The appropriations question is the most difficult to pinpoint, because in many cases boards automatically receive an appropriation which is equal

to a set percentage of the fees they have collected. By expanding this area to include the question of budget review, the intention is to distinguish between those states in which the fees collected by a board are automatically appropriated to that board and those states in which appropriations (whether from special funds or general revenue) are made as a result of the budgetary review process.

The information in this report was compiled by utilizing the Licensure Information System (LIS), an information service which was operated by the Council of State Governments through December 1982 under contract with the Bureau of Health Professions, Health Services and Resources Administration, U.S. Dept. of Health and Human Services. The LIS data base of state statutes and board regulations used in this compilation was current through 1980. Also, several states were contacted directly concerning areas where information was unavailable or ambiguous.

Analysis of the Findings

A review of the information presented in column 1 of the following table indicates that 55 percent (29 of 53) of the states and territories listed generally deposit the fees collected by their boards into a special account or fund. In the vast majority of these 29 states the fees are deposited into a special board fund within the state treasury, but in a few states the fees are deposited directly into a bank or savings and loan chosen by the board.

A review of the information presented in column 2 of the table indicates that in 62 percent (33 of 53) of the states and territories listed, a board (or the central licensure agency which has authority in this area) must undergo a budgetary review process which will determine the amount of the legislative appropriation.

Consideration of the overall financing patterns indicates that in 38 percent (20 of 53) of the states and territories, the use of special accounts or funds is coupled with an automatic appropriations process which does not depend on budget review. In 17 percent (9 of 53) of the states and territories listed, the use of special accounts or funds is coupled with the need for a budgetary review process which will determine the amount of the appropriation. In this departure from the traditional pattern, special funds are retained, but not at the expense of legislative oversight and financial control. In the remaining 45 percent (24 of 53) of the states and territories listed, fees are deposited into the general fund and board operations are financed with general revenue funds appropriated by the legislature.

A comparison of the information in columns 1 and 3 of the table indicates that, in every state which utilizes special accounts or funds, operating funds for the boards come from those special accounts rather than from the general revenue.

Type of Financing Pattern and Level of Centralization

Occupational and professional licensure functions are carried out through widely differing types of structural and organizational arrangements

in the states. Sometimes the terms "autonomous boards" and "umbrella or centralized agency" are used to describe two different types of structures. A 1980 CSG publication, Occupational Licensing: Centralizing State Licensure Functions, used a series of five models to describe the varying levels of centralization of licensure functions among the states. The relationship between financing pattern and administrative structure is of interest for several reasons. Traditionally autonomous licensing boards have used special accounts and have had minimal legislative oversight on how those funds would be spent. As states have created agencies with staff who carryout specialized functions for multiple licensing boards, some states are financing these agencies from general revenue. Thus the question is: Are all autonomous boards financed by special accounts, and are all centralized agencies financed by general revenue?

In order to determine the relationship between the type of financing pattern and the type of organizational structure, we examined how many of the states in each of the five models used special accounts or general revenue funding. Our findings are as follows:

(1) Model A describes a state in which boards are fully autonomous and no central licensure agency exists. Eighteen states fit a Model A description. In 83 percent (15 of 18) of these states, the boards deposit fees into special accounts or funds and undergo an automatic appropriations process which does not depend on budget review. Three Model A states, however, finance the boards from general revenue funds.

(2) Model B describes a state in which autonomous boards are located within a central agency which provides mainly housekeeping services. Seven states fit a Model B description. In 57 percent (4 of 7) of these states, the boards deposit fees into special accounts or funds and undergo an automatic appropriations process which does not depend on budget review. A slim minority of Model B states (3 of 7) use general revenue funding to finance the health boards and agencies.

(3) In a Model C state, the central agency exerts influence on the board through control of budgets, personnel and records, but the board retains decisionmaking authority in many areas. Twenty-one states fit a Model C description. In 43 percent (9 of 21) of these states, the boards deposit fees into special accounts or funds. However, 8 of the 9 states couple the use of special funds with an appropriations process that includes budget review. The majority of Model C states (12 of 21) fund health licensure regulation through general revenue funds.

(4) Model D describes a state in which boards do not have final decision-making authority on all substantive matters. Five states fit a Model D description. Certain decisions by the boards are subject to review by the central agency. In 20 percent (1 of 5) of these states, the boards deposit fees into special funds, but in this state the boards must also undergo a budget review. Four of the five Model D states use general revenue funds to finance health licensure operations.

(5) Finally, in a Model E state, boards serve in an advisory capacity only and have no final decision-making power. Two states fit this model, and boards in both states have their fees deposited into the general fund.

The results of our analysis show there is no simple dichotomous pattern. That is, all autonomous boards are not funded by special accounts and all central agencies are not general revenue funded. However, there is a consistent correlation between the type of board structure and the financing pattern. Autonomous boards (Model A of the 5 Models) are the most likely to be funded through special accounts which are not actively reviewed and controlled through a legislative budget review. A slim majority of states with centralized agencies responsible for administrative functions (Model C) are funded through general revenue. But as important, in the Model C states with special accounts, the boards nearly always must participate in a legislative budget review process. In the most centralized Model E states, both states' licensure functions are general revenue funded.

Conclusions

The following financing patterns of health licensure boards have been determined:

- 55 percent of the states and territories use special accounts for licensure fees.
- 45 percent of the states and territories use general revenue funds to finance board operations.
- 62 percent of the states and territories utilize a legislative budgetary review process to determine the amount of appropriations to their boards.

Based on these overall percentages, a slim majority of the states (i.e. 55 percent) fund their licensure functions through special accounts for licensure fees. However, a more complex picture emerges as the state licensure administrative structure is correlated with the type of state financing pattern. And, a consistent positive correlation is found. As licensure functions become more centralized, the likelihood that these functions will be general-revenue funded increases, while the likelihood that fees will be deposited into a special account decreases. In those cases in which a special fund is retained in the states with centralized agencies (i.e. Model C), financial control over the boards is maintained through the budget review and appropriations process.

FINANCING PATTERNS OF HEALTH LICENSURE BOARDS

STATE	Fees, etc. deposited in a special account or fund	Budgets reviewed and appropriations made by the Legislature	Operating funds come from general revenue
ALABAMA	Y	N 1.	N
ALASKA	N	Y	Y
ARIZONA	Y 2.	N	N
ARKANSAS	Y	N	N
CALIFORNIA	Y 3.	Y	N
COLORADO	Y 4.	Y	N
CONNECTICUT	N	Y 5.	Y
DELAWARE	N	Y	Y
FLORIDA	Y 6.	Y	N
GEORGIA	N 7.	Y	Y
HAWAII	N	Y	Y
IDAHO	Y 8.	Y	N
ILLINOIS	N 9.	Y	Y
INDIANA 10.	N	Y	Y
IOWA	N	Y	Y
KANSAS	Y 11.	N	N
KENTUCKY	Y	N	N
LOUISIANA	Y	N	N
MAINE	Y	N	N
MARYLAND	N	Y	Y
MASSACHUSETTS	N	Y 12.	Y
MICHIGAN	N	Y	Y
MINNESOTA	N	Y	Y
MISSISSIPPI	Y	N	N
MISSOURI	Y 13.	Y	N
MONTANA	Y	N	N
NEBRASKA	Y 14.	N	N
NEVADA	Y	N	N
NEW HAMPSHIRE	N	Y	Y
NEW JERSEY	N	Y	Y
NEW MEXICO	Y	N	N
NEW YORK	N	Y	Y
NORTH CAROLINA	Y	N	N
NORTH DAKOTA	Y 15.	N	N
OHIO	N	Y	Y
OKLAHOMA	Y	N 16.	N
OREGON	Y 17.	Y	N
PENNSYLVANIA	Y 18.	Y	N
RHODE ISLAND	N 19.	Y	Y
SOUTH CAROLINA	Y	N	N
SOUTH DAKOTA	Y	N	N
TENNESSEE	N	Y	Y
TEXAS	Y	N 20.	N
UTAH	N	Y	Y
VERMONT	N 21.	Y	Y
VIRGINIA	Y	Y	N
WASHINGTON	N 22.	Y	Y
WEST VIRGINIA	Y	N	N
WISCONSIN	Y 23.	Y	N
WYOMING	Y 24.	N	N
D. OF COLUMBIA	N	Y 25.	Y
PUERTO RICO	N	Y	Y
VIRGIN ISLANDS	N	Y	Y

FOOTNOTES

1. ALABAMA- The statutes for several boards, e.g. the Board of Social Work Examiners, the Board of Veterinary Medical Examiners and the Board of Audiology and Speech Pathology stipulate that no funds may be expended except as budgeted and allotted, and only in amounts as stipulated in the general appropriations bill.
2. ARIZONA- Ninety percent of the fees collected by each board are deposited in that board's special fund, while the remaining ten percent are deposited in the general fund. Exceptions to the overall pattern include the Board of Optometry and the Board of Hearing Aid Fitters which deposit the fees they collect into the general fund and are financed by appropriations from general revenue.
3. CALIFORNIA- Expenditure of funds from the special accounts is subject to approval via a budgetary review process. Exceptions to the general pattern include the Committee of Sanitarian Registration, the Radiologic Technologist Committee and the Medical Laboratory Committee. These committees, which are contained within the Department of Health, have their fees deposited into the general fund.
4. COLORADO- All fees collected by the boards are credited to the Division of Registrations Cash Fund, Department of Regulatory Agencies.
5. CONNECTICUT- The Department of Health Services controls the allocation, disbursement and budgeting of funds appropriated to the Department for the operation of the boards and commissions.
6. FLORIDA- All monies collected from fees are paid into the Professional Regulation Trust Fund. The legislature appropriates funds from this trust fund sufficient to carry out the provisions of law with respect to professions. The Department of Professional Regulation maintains separate revenue accounts in the trust fund for every profession within the Department.
7. GEORGIA- However, accounts are kept to reflect the amount collected for each board. State law requires that fee collections for each board must match expenses for that board, although there is no direct flow of funds from fee collections to expenses.
8. IDAHO- The majority of the health boards deposit their fees into the Occupational License Account, and then the legislature appropriates money from this account for the operation of the various boards. Boards such as the Board of Medicine, the Board of Dentistry and the Board of Nursing have their own special funds, but must still go through a budget review and legislative appropriations process.
9. ILLINOIS- Exceptions to this pattern include the Medical Disciplinary Board which maintains a special earmarked fund.
10. INDIANA- This pattern reflects 1982 data.
11. KANSAS- Eighty percent of the fees collected by a particular board are deposited in that board's fund, while the remaining twenty percent are deposited in the general fund.

FOOTNOTES (continued):

12. MASSACHUSETTS- The boards do not receive separate appropriations from the Legislature. The Secretariat of the Division of Registration, Office of Consumer Affairs, is responsible for budgeting and allocation of the funds appropriated to the Division for the operation of the boards.
13. MISSOURI- One exception to this pattern is the Board of Hearing Aid Dealers and Fitters which deposits its fees in the general fund. A bill is currently being debated in the Missouri Legislature which would abolish the special funds.
14. NEBRASKA- Fifteen percent of all fees remitted to the state treasury by a board may be credited to the general fund, if appropriated by the legislature. The remaining eighty-five percent are credited to the specific fund account of the board.
15. NORTH DAKOTA- Each board deposits all fees and other monies received in any bank selected by the majority vote of its governing body.
16. OKLAHOMA- In the case of the Board of Optometric Examiners, ninety percent of all monies accruing to the fund are automatically appropriated to the board.
17. OREGON- All fees collected by an occupational licensing board are deposited in a separate account for that board within the general fund. Although the boards maintain control of their funds, they go through the normal budget review and appropriations process and must remain within the established expenditure limitations on their fees.
18. PENNSYLVANIA- All monies collected are paid into the Professional Licensure Augmentation Account, which is a special restricted receipts account within the general fund. The general assembly annually appropriates monies available from the Professional Augmentation Account for the operation of the various boards.
19. RHODE ISLAND- Exceptions to this pattern include the Board of Medical Review and the Board of Hearing Aid Dealers and Fitters which retain special accounts for the fees they collect and are financed by those fees.
20. TEXAS- However, statutes concerning boards such as the Board of Optometry, the Board of Professional Nurse Registration, the Board of Practical Nurse Registration and the Board of Medical Examiners further state that money is to be expended by boards as specified by itemized appropriation in the general appropriations act.
21. VERMONT- One exception to this pattern is the Board of Medical Practice which deposits the fees it collects (excluding examination fees) into a special fund and is financed by those fees. Examination fees collected by all the boards are deposited into a special examination fund.
22. WASHINGTON- There are several exceptions to this general pattern. Fees for architects, engineers, optometrists and psychologists are deposited in special accounts, and operating funds for these boards come from those accounts.

FOOTNOTES (continued):

23. WISCONSIN- Fees collected by the boards are deposited into the general fund, but are credited to the board. Appropriations made to a board will come from the funds it deposited, with each board being eligible for up to ninety percent of the money deposited.
24. WYOMING- A few boards, such as the Board of Chiropractic Examiners and the Board of Examiners in Podiatry, have ten percent of their collected fees deposited in the general fund and the remaining ninety percent deposited in a special board account.
25. DISTRICT OF COLUMBIA- The occupational and professional licensure boards and commissions administered by the Department of Licenses, Investigations and Inspections do not have separate budget reviews or separate appropriations from the legislative body of the District of Columbia. The administrative costs associated with these boards and commissions are a part of the Department's total budget funding request.

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PUBLICATIONS FROM THE NATIONAL CLEARINGHOUSE ON LICENSURE, ENFORCEMENT AND
REGULATION, AND THE COUNCIL OF STATE GOVERNMENTS

Financing Patterns of Health Licensure Boards. 1983; C-13; \$3.50

Health Licensure Fees. 1983; C-4; \$3.50

Occupational Licensure and Regulation: A Bibliography. 1983; C-12; \$5.00

Sunset: A Schedule of State Sunset Reviews. 1983; RM-715; \$15 (free to state
officials)

Occupational Licensing and Enforcement: Guidelines for the Investigator. 1982; C-1;
\$10.00

Licensing Professional Peace Officers: Minnesota's Peace Officer Standards and
Training Board. 1982; RM713; \$5.00

Health Licensure Boards: Public Membership. 1981; RM698; \$3.00

Occupational Licensing: Centralizing State Licensure Functions. 1980; RM683; \$3.50

Sunset: Expectation and Experience. 1981; RM699; \$15.00

Occupational Licensing: Questions a Legislator Should Ask. 1978; RM635; \$3.50

State Regulatory Policies: Dentistry and the Health Professions. 1979; RM660; \$4.50

Offered: 2/25/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 78 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to occupational licensing fees; and

7

providing for an effective date."

8

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

9

Section 1. AS 08.01.010 is amended to read:

10

Sec. 08.01.010. APPLICABILITY OF CHAPTER. This chapter applies

11

to the

12

(1) Board of Public Accountancy (AS 08.04.010);

13

(2) [REPEALED

14

(3) REPEALED

15

(4)] Board of Chiropractic Examiners (AS 08.20.010);

16

[(5) REPEALED]

17

(3) [(6)] Board of Dental Examiners (AS 08.36.010);

18

(4) [(7)] Board of Electrical Examiners (AS 08.40.010);

19

(5) [(8)] State Board of Registration for Architects,

20

Engineers and Land Surveyors (AS 08.48.011);

21

(6) [(9)] State Medical Board (AS 08.64.010);

22

(7) [(10)] Board of Nursing (AS 08.68.010);

23

(8) [(11)] Board of Examiners in Optometry (AS 08.72.010);

24

(9) [(12)] Board of Pharmacy (AS 08.80.010);

25

[(13) REPEALED]

26

(10) [(14)] Board of Veterinary Examiners (AS 08.98.010);

27

(11) [(15)] Board of Psychologist and Psychological Asso-

28

ciate Examiners (AS 08.86.010);

29

[(16) REPEALED

- 1 (17) REPEALED]
- 2 (12) [(18)] Board of Marine Pilots (AS 08.62.010);
- 3 (13) [(19)] Board of Dispensing Opticians (AS 08.71.010);
- 4 (14) [(20)] Guide Licensing and Control Board (AS 08.54-
- 5 .010);
- 6 (15) [(21)] State Physical Therapy Board (AS 08.84.010);
- 7 (16) [(22)] Board of Nursing Home Administrators (AS 08.-
- 8 70.010);
- 9 (17) [(23)] regulation of professional geologists under
- 10 AS 08.02.011;
- 11 (18) [(24)] Board of Barbers and Hairdressers (AS 08.13-
- 12 .010);
- 13 (19) regulation of construction contractors under AS 08.18;
- 14 (20) regulation of collection agencies under AS 08.24;
- 15 (21) regulation of morticians under AS 08.42;
- 16 (22) regulation of concert promoters under AS 08.92.

17 * Sec. 2. AS 08.01 is amended by adding a new section to read:

18 Sec. 08.01.065. FEES ESTABLISHED BY REGULATION. (a) The de-

19 partment shall adopt regulations that establish the amount and manner

20 of payment of application fees, examination fees, license fees, regis-

21 tration fees, permit fees, investigation fees, and all other fees as

22 appropriate for the occupations covered by this chapter and for real

23 estate brokers and salesmen under AS 08.88.

24 (b) The department may not adopt a regulation under (a) of this

25 section unless the board responsible for regulating the affected

26 occupation concurs.

27 (c) A fee established under this section must reflect, to the

28 extent possible, the actual costs to the department of the activity

29 for which the fee is charged.

1 * Sec. 3. AS 08.01.100(b) is amended to read:

2 (b) A registration, license, permit, or certificate [CERTIFI-
3 CATES] requiring renewal to continue to be effective must be renewed
4 on or before the date set by the department or it will lapse. With
5 the concurrence of the appropriate board the department may establish
6 by regulation a [A] penalty [OF \$10 SHALL BE CHARGED IN ADDITION TO
7 ALL DELINQUENT RENEWAL FEES] for reinstatement of a registration,
8 license, permit, or certificate that [WHICH] remains lapsed for more
9 than 60 days. The penalty is in addition to delinquent renewal fees.

10 * Sec. 4. AS 08.04.190 is amended to read:

11 Sec. 08.04.190. EXAMINATION FEE. An [THE BOARD SHALL CHARGE
12 EACH APPLICANT A FEE OF \$50 FOR THE INITIAL EXAMINATION AND FOR EACH
13 REEXAMINATION. THE] applicant shall pay the appropriate fee at the
14 time of application for examination or reexamination.

15 * Sec. 5. AS 08.04.390 is amended to read:

16 Sec. 08.04.390. PERMIT FOR INDIVIDUAL PRACTICE AS A PUBLIC
17 ACCOUNTANT. The board shall issue a permit to engage in the practice
18 of public accounting to a holder of a certificate or license if all
19 offices of the certificate holder or licensee are maintained and
20 registered as required by AS 08.04.350 - 08.04.380. The permit is
21 valid for two years [THE BIENNIAL PERMIT FEE IS \$60].

22 * Sec. 6. AS 08.04.400 is amended to read:

23 Sec. 08.04.400. PERMIT FOR PARTNERSHIP OR CORPORATE PRACTICE AS
24 A PUBLIC ACCOUNTANT. The board shall issue a permit to engage in the
25 practice of public accounting as a partnership or as a corporation to
26 a partnership or corporation registered under AS 08.04.240. The
27 permit is valid for two years [THE BIENNIAL PERMIT FEE IS \$60]. A
28 permit is valid only for practice under the registered name of the
29 partnership or corporation. A partnership registered under

1 AS 08.04.330 - 08.04.340 on June 29, 1980, qualifies for a permit
2 under this section as long as each partner personally engaged in the
3 practice of public accounting in this state holds a license or permit
4 under AS 08.04.661.

5 * Sec. 7. AS 08.04.410 is amended to read:

6 Sec. 08.04.410. PERMIT FOR PERSON NOT ENGAGED IN PRACTICE. A
7 person holding a certificate or license who is not engaged in the
8 practice of public accounting may maintain the certificate or license
9 in good standing by registering with the board and paying an annual
10 registration fee [OF \$10].

11 * Sec. 8. AS 08.04.420 is amended to read:

12 Sec. 08.04.420. PERMIT FOR GENERAL PRACTICE AS A CERTIFIED
13 PUBLIC ACCOUNTANT. A certified public accountant, or a partnership or
14 corporation of certified public accountants in good standing in a
15 state, not holding a permit under AS 08.04.390 or 08.04.400 nor main-
16 taining an office in this state but engaging in the practice of public
17 accounting in this state, shall apply to the board for a permit to
18 practice. The board shall determine whether the applicant is eligible
19 for the permit. [THE ANNUAL FEE FOR THE ISSUANCE OF A PERMIT IS
20 \$100.]

21 * Sec. 9. AS 08.04.430 is amended to read:

22 Sec. 08.04.430. EXPIRATION AND RENEWAL. A permit or registra-
23 tion under this chapter, unless revoked or suspended, must [SHALL] be
24 renewed biennially upon payment of a renewal fee [IN THE SAME AMOUNT
25 AS THE INITIAL BIENNIAL FEE].

26 * Sec. 10. AS 08.04 is amended by adding a new section to article 4 to
27 read:

28 Sec. 08.04.495. FEES. The Department of Commerce and Economic
29 Development shall set fees under AS 08.01.065 for examinations,

1 reexaminations, permits, licenses, certificates and registrations.

2 * Sec. 11. AS 08.13.185 is repealed and reenacted to read:

3 Sec. 08.13.185. FEES. The Department of Commerce and Economic
4 Development shall set fees under AS 08.01.065 for initial licenses and
5 renewals for the following:

- 6 (1) schools;
- 7 (2) school owners;
- 8 (3) instructor;
- 9 (4) shop owner;
- 10 (5) practitioner of barbering;
- 11 (6) practitioner of hairdressing;
- 12 (7) practitioner of cosmetology;
- 13 (8) temporary permit;
- 14 (9) student permit.

15 (b) The Department shall set fees under AS 08.01.065 for exami-
16 nation and investigation.

17 * Sec. 12. AS 08.18.041 is repealed and reenacted to read:

18 Sec. 08.18.041. FEES. The Department of Commerce and Economic
19 Development shall set registration and renewal fees under AS 08.01.065
20 for the following:

- 21 (1) general contractor;
- 22 (2) specialty contractor.

23 * Sec. 13. AS 08.20.130(d) is amended to read:

24 (d) An applicant may take a reexamination within one year after
25 failing the examination [UPON PAYMENT OF A FEE OF \$10].

26 * Sec. 14. AS 08.20.180 is repealed and reenacted to read:

27 Sec. 08.20.180. FEES. (a) An applicant for an examination,
28 reexamination, issuance of a temporary permit, or initial issuance or
29 renewal of a license shall pay a fee established under AS 08.01.065.

1 (b) License renewal fees are due every four years.

2 * Sec. 15. AS 08.24.100(b) is amended to read:

3 (b) The [ANNUAL] operator's license is [SHALL BE] renewable on
4 or before July 1 of each second year [BEGINNING ON JULY 1, 1968, AND
5 THE BIENNIAL FEE IS \$100].

6 * Sec. 16. AS 08.24.110(a) is amended to read:

7 (a) To qualify for an operator's license, the applicant shall:

8 (1) [REPEALED,

9 (2)] be a high school graduate, or have the equivalent
10 education of a high school graduate;

11 (2) [(3)] be of good moral character;

12 (3) [(4)] not have been convicted of violating this chap-
13 ter, nor have any unsettled complaints under this chapter against the
14 applicant;

15 (4) [(5)] not have been convicted of a felony or a crime of
16 larceny or embezzlement or a crime involving moral turpitude;

17 (5) [(6)] be 19 years of age or older at the time of appli-
18 cation;

19 (6) [(7)] not be a disbarred attorney or have filed bank-
20 ruptcy;

21 (7) [(8)] pay the biennial license fee [WHICH IS FIXED AT
22 \$100].

23 * Sec. 17. AS 08.24.120(a) is amended to read:

24 (a) An application for an operator's license must [SHALL] be
25 made on forms furnished by the department and must [SHALL] contain the
26 information required in AS 08.24.110 and[, IN ADDITION,] the follow-
27 ing:

28 (1) a complete set of fingerprints;

29 (2) a 2" x 3" photograph showing a front view of head and

1 shoulders;

2 (3) if it is an original application, the [AN] application
3 fee [OF \$40];

4 (4) the biennial license fee [REQUIRED BY AS 08.24.100].

5 * Sec. 18. AS 08.24 is amended by adding a new section to read:

6 Sec. 08.24.135. FEES. The department shall set fees for
7 licenses and applications under AS 08.01.065 and shall set fines under
8 AS 08.01.100.

9 * Sec. 19. AS 08.24.140(a) is amended to read:

10 (a) The application must [SHALL] be accompanied by:

11 (1) if it is an original application, the [AN] application
12 fee [OF \$100];

13 (2) the biennial license fee for a collection agency [WHICH
14 IS FIXED AT \$200] for the principal place of business and the same
15 amount [\$200] for each branch office;

16 (3) a bond running to the state with a surety or sureties
17 to the satisfaction of the department, and conditioned that the li-
18 censee shall, within 30 days after the close of each calendar or
19 fiscal month, report and pay to the licensee's customers the net
20 proceeds due and payable of all collections made during the calendar
21 or fiscal month that exceed [WHICH EXCEEDS] \$20.

22 * Sec. 20. AS 08.24.200(b) is amended to read:

23 (b) If a licensee under this chapter is delinquent for a period
24 of 15 days in applying for the renewal of a license, the department
25 shall suspend the license and notify the licensee by certified mail or
26 by personal service. The notice must [SHALL] state that the license
27 will be revoked if application for renewal is not made within 15 days
28 after [FROM] the date on which the notice was mailed or personally
29 served. When a licensee has been delinquent more than 60 days in

1 renewing a license or certificate, the department shall charge an
2 additional penalty established under AS 08.01.100(b) before [FEE OF
3 \$50 FOR THE] renewal of the license.

4 * Sec. 21. AS 08.24.370 is amended to read:

5 Sec. 08.24.370. NONRESIDENTS. A nonresident may apply for and
6 receive a collection agency license or an operator license or both on
7 the same basis as a resident. The application fee and the biennial
8 license fee for nonresident operator and nonresident agency licenses
9 are double the same fees for a resident operator and agency estab-
10 lished by regulations under AS 08.01.065 [THE APPLICATION FEE FOR A
11 NONRESIDENT OPERATOR LICENSE IS \$100, AND THE BIENNIAL LICENSE FEE IS
12 \$200. THE APPLICATION FEE FOR A NONRESIDENT AGENCY LICENSE IS \$200,
13 AND THE BIENNIAL LICENSE FEE IS \$400 FOR THE PRINCIPAL PLACE OF BUSI-
14 NESS AND \$400 FOR EACH BRANCH OFFICE].

15 * Sec. 22. AS 08.32.097 is amended to read:

16 Sec. 08.32.097. FEES. The Department of Commerce and Economic
17 Development [DEPARTMENT] shall, by regulations adopted under AS 08.01-
18 .065 [AS 08.01.080], establish fees for dental hygienists for the
19 following:

- 20 (1) filing an examination and licensing application;
- 21 (2) examination fee;
- 22 (3) credential fee;
- 23 (4) initial license;
- 24 (5) registration fee;
- 25 (6) filing a reexamination application;
- 26 (7) duplicate license;
- 27 (8) delinquent registration.

28 * Sec. 23. AS 08.36.290 is amended to read:

29 Sec. 08.36.290. FEES. The department shall, by regulations

1 adopted under AS 08.01.065 [AS 08.01.080], establish fees for dentists
2 for the following:

- 3 (1) filing an examination and licensing application;
- 4 (2) examination fee;
- 5 (3) credential review;
- 6 (4) initial license;
- 7 (5) registration fee;
- 8 (6) filing a reexamination application;
- 9 (7) specialty license;
- 10 (8) branch office registration;
- 11 (9) duplicate license;
- 12 (10) delinquent registration.

13 * Sec. 24. AS 08.40.135(b) is amended to read:

14 (b) A lapsed license may be reinstated upon proof of continued
15 competency by payment of all unpaid renewal fees and any [A] penalty
16 fee established under AS 08.01.100(b), [OF \$25 FOR EACH YEAR THE
17 LICENSE HAS BEEN LAPSED] unless the license has been lapsed for more
18 than two years. If a person's license has been lapsed for more than
19 two years, the person is required to take an examination under AS 08.-
20 40.120.

21 * Sec. 25. AS 08.40.150 is repealed and reenacted to read:

22 Sec. 08.40.150. FEES. Each applicant and each licensee shall
23 pay application and renewal fees established by regulations adopted
24 under AS 08.01.065.

25 * Sec. 26. AS 08.42.100 is amended to read:

26 Sec. 08.42.100. FUNERAL ESTABLISHMENT PERMIT. After January 1,
27 1977, a person may not conduct, maintain, manage, or operate a funeral
28 establishment unless a permit for each establishment has been issued
29 by the department and is conspicuously displayed in the funeral

1 establishment. Each permit is [SHALL BE] valid only for one specific
2 location, and each firm [SEPARATE PERMITS SHALL BE REQUIRED OF TWO OR
3 MORE FIRMS] operating from the same funeral establishment shall obtain
4 a separate permit. The department shall issue a [A] permit to operate
5 a funeral establishment [SHALL BE ISSUED BY THE DEPARTMENT] upon
6 application for the permit on a form provided by the department. All
7 permits [SHALL] expire at the time established under AS 08.01.100 [ON
8 DECEMBER 31 OF EACH YEAR] and may be renewed for successive [ONE-YEAR]
9 terms. Violation of a provision of AS 08.42.090 by a person operating
10 a funeral establishment or, with that person's knowledge or consent,
11 by an employee is [SHALL BE] considered sufficient cause for sus-
12 pension or revocation of the funeral establishment permit.

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

14 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES.
15 Written examinations must [SHALL] be held at least twice each year at
16 places determined by the board unless the examination administered by
17 the board is a national examination prepared only once each year, in
18 which case the examination must [SHALL] be held at least once each
19 year. A candidate failing an examination may apply for reexamination.
20 [THE EXAMINATION FEE FOR APPLICANTS SHALL BE ESTABLISHED BY THE BOARD
21 AND SHALL ACCOMPANY THE APPLICATION.]

22 * Sec. 28. AS 08.48.231(b) is amended to read:

23 (b) The renewal of a certificate does not require reapplication
24 if the certificate has not expired or has not been suspended or re-
25 voked. [THE RENEWAL FEE FOR A CERTIFICATE MAY NOT EXCEED \$100.]

26 * Sec. 29. AS 08.48.231(c) is amended to read:

27 (c) An [RENEWAL OF AN] expired certificate may be renewed [EF-
28 FECTED] under regulations adopted [PROMULGATED] by the board estab-
29 lishing [REGARDING] requirements for [OF] reexamination [AND PENALTY

1 FEES].

2 * Sec. 30. AS 08.48 is amended by adding a new section to article 2 to
3 read:

4 Sec. 08.48.265. FEES. The Department of Commerce and Economic
5 Development shall set fees under AS 08.01.065 for examinations, regis-
6 trations, certificates of authorization, and renewals of a certifi-
7 cate.

8 * Sec. 31. AS 08.52.050 is amended to read:

9 Sec. 08.52.050. FEE [FEES]. An applicant for a certificate of
10 fitness shall pay a fee [OF \$75] at the time of application in the
11 amount established by regulations adopted by the department.

12 * Sec. 32. AS 08.54.160 is amended to read:

13 Sec. 08.54.160. LICENSING OF MARINE MAMMAL GUIDES. The board
14 may establish qualifications [, SET LICENSE FEES,] and issue licenses
15 for marine mammal guides.

16 * Sec. 33. AS 08.54.170(a) is repealed and reenacted to read:

17 (a) The Department of Commerce and Economic Development shall
18 set license fees under AS 08.01.065 for each of the following:

- 19 (1) master guide;
- 20 (2) registered guide;
- 21 (3) class A assistant guide;
- 22 (4) assistant guide;
- 23 (5) transporter.

24 * Sec. 34. AS 08.54.180 is amended to read:

25 Sec. 08.54.180. EXAMINATION FEE. An applicant for a guide
26 examination shall pay a fee established by regulations adopted under
27 AS 08.01.065 [OF \$25].

28 * Sec. 35. AS 08.62.140 is repealed and reenacted to read:

29 Sec. 08.62.140. FEES. The department shall set fees under

1 AS 08.01.065 for applications, licenses, and agent registrations.

2 * Sec. 36. AS 08.64.260(c) is amended to read:

3 (c) Applicants failing portions of part I or part II of the
4 examination may retake the portions failed at a prorated fee [PRE-
5 SCRIBED IN THE REGULATIONS BY THE BOARD].

6 * Sec. 37. AS 08.64.260(d) is amended to read:

7 (d) Applicants failing part III of the examination shall retake
8 the entire part at a prorated fee [PRESCRIBED IN THE REGULATIONS BY
9 THE BOARD].

10 * Sec. 38. AS 08.64.275(d) is amended to read:

11 (d) Within 10 days after [FROM] the permit has been granted
12 [GRANTING OF THE PERMIT], the board member shall forward [THE FEE] to
13 the department [WITH] a report of the issuance of the permit.

14 * Sec. 39. AS 08.64.315 is repealed and reenacted to read:

15 Sec. 08.64.315. FEES. The department shall set fees under
16 AS 08.01.065 for each of the following:

- 17 (1) application;
- 18 (2) license by examination;
- 19 (3) license by endorsement or waiver of examination;
- 20 (4) temporary permit;
- 21 (5) locum tenens permit;
- 22 (6) license renewal, active;
- 23 (7) license renewal, inactive;
- 24 (8) license by reexamination.

25 * Sec. 40. AS 08.68.220 is repealed and reenacted to read:

26 Sec. 08.68.220. FEES. The Department of Commerce and Economic
27 Development shall set fees under AS 08.01.065 for each of the fol-
28 lowing:

- 29 (1) registered nursing:

- 1 (A) application;
2 (B) license by examination;
3 (C) licens~~e~~ by endorsement;
4 (D) license renewal;
5 (E) temporary permit;
6 (2) practical or vocational nursing:
7 (A) application;
8 (B) license by examination;
9 (C) license by endorsement;
10 (D) license renewal;
11 (E) temporary permit.

12 * Sec. 41. AS 08.70.150 is repealed and reenacted to read:

13 Sec. 08.70.150. FEES. The department shall set fees under
14 AS 08.01.065 for examination and investigation of persons applying for
15 a license, initial license, and license renewal.

16 * Sec. 42. AS 08.71.120 is repealed and reenacted to read:

17 Sec. 08.71.120. FEES. The department shall set fees under
18 AS 08.01.065 for examination, initial license, and license renewal.

19 * Sec. 43. AS 08.71.130(b) is amended to read:

20 (b) If the license is not renewed on or before the [THAT] date
21 set by the department under (a) of this section, the license lapses.
22 Before [, IT SHALL LAPSE. A PENALTY OF \$10 SHALL BE CHARGED, IN
23 ADDITION TO ALL DELINQUENT FEES, FOR THE] reinstatement of a license
24 that has remained [WHICH REMAINS] lapsed for more than 60 days, the
25 applicant must pay all delinquent renewal fees and any penalty estab-
26 lished under AS 08.01.100(b).

27 * Sec. 44. AS 08.72.191 is repealed and reenacted to read:

28 Sec. 08.72.191. FEES. The department shall set fees under
29 AS 08.01.065 for the following:

- 1 (1) examination;
- 2 (2) reexamination for the written portion;
- 3 (3) waiver of examination;
- 4 (4) certificates;
- 5 (5) renewal;
- 6 (6) branch office registration and renewal.

7 * Sec. 45. AS 08.80.160 is repealed and reenacted to read:

8 Sec. 08.80.160. FEES. The Department of Commerce and Economic
9 Development shall set fees under AS 08.01.065 for the following:

- 10 (1) examination;
- 11 (2) reexamination;
- 12 (3) investigation for licensing by credentials;
- 13 (4) pharmacist license;
- 14 (5) temporary license;
- 15 (6) wholesale drug dealer license;
- 16 (7) retail pharmacy license;
- 17 (8) pharmacy intern registration;
- 18 (9) emergency permit;
- 19 (10) hospital pharmacy license (inpatient and outpatient);
- 20 (11) hospital drug room license (inpatient);
- 21 (12) nursing home and related facilities license for in-
22 patient dispensing;
- 23 (13) license amendment or replacement.

24 * Sec. 46. AS 08.84.032 is amended to read:

25 Sec. 08.84.032. FOREIGN-TRAINED PHYSICAL THERAPY OR PHYSICAL
26 THERAPY ASSISTANT APPLICANTS. To be eligible for licensure by the
27 board as a physical therapist or physical therapy assistant, an appli-
28 cant who is a graduate of a school of physical therapy that [WHICH] is
29 located outside of the United States shall

1 (1) have completed, to the satisfaction of the board, a
2 resident course of study and professional instruction equivalent to
3 that provided by a school approved by the Council on Medical Education
4 and Hospitals of the American Medical Association or the American
5 Physical Therapy Association, and furnish documentary evidence of
6 compliance with this paragraph, translated, if necessary, into the
7 English language by a person verifying the accuracy of the transla-
8 tions;

9 (2) have completed, to the satisfaction of the board, an
10 internship under the continuous direction and immediate supervision of
11 a physical therapist in an institution that [WHICH] ordinarily pro-
12 vides physical therapy and is approved by the board, for that period
13 of time specified by the board, and furnish documentary evidence of
14 compliance with this paragraph;

15 (3) pass an oral examination administered by a member of
16 the board;

17 (4) have met applicable requirements under the federal
18 Immigration and Nationality Act (8 U.S.C. 1101 et seq.), unless a
19 United States citizen;

20 (5) pass the examination administered by the board under
21 AS 08.84.030(3); and

22 (6) pay the fee required [PRESCRIBED] under AS 08.84.050
23 [AS 08.84.050(2) AND (3)].

24 * Sec. 47. AS 08.84.050 is repealed and reenacted to read:

25 Sec. 08.84.050. FEES. The Department of Commerce and Economic
26 Development shall set fees under AS 08.01.065 for the following:

- 27 (1) application;
28 (2) license by examination;
29 (3) license by acceptance of credentials;

- 1 (4) renewal;
- 2 (5) temporary permit.

3 * Sec. 48. AS 08.84.100(b) is amended to read:

4 (b) Before [A PENALTY OF \$10 SHALL BE CHARGED IN ADDITION TO ALL
5 DELINQUENT RENEWAL FEES FOR] reinstatement of a license that [WHICH]
6 remains lapsed for more than 60 days, the applicant must pay all
7 delinquent renewal fees and any penalty established under AS 08.01.-
8 100(b). If a [THE] license remains lapsed for more than three years,
9 the board may require the applicant to take and pass the examination
10 given under AS 08.84.030(3).

11 * Sec. 49. AS 08.86.140 is repealed and reenacted to read:

12 Sec. 08.86.140. FEES. (a) The department shall set fees under
13 AS 08.01.065 for the following:

- 14 (1) application;
- 15 (2) examination;
- 16 (3) credential review;
- 17 (4) initial license;
- 18 (5) license renewal.

19 (b) A license must be renewed every four years.

20 * Sec. 50. AS 08.88.221 is repealed and reenacted to read:

21 Sec. 08.88.221. FEES. The Department of Commerce and Economic
22 Development shall set fees under AS 08.01.065 for a real estate
23 broker, associate broker, or salesman licensee or applicant for the
24 following:

- 25 (1) examination;
- 26 (2) reciprocity;
- 27 (3) initial license;
- 28 (4) renewal of an active license;
- 29 (5) renewal of an inactive license;

1 (6) amending or transferring a license.

2 * Sec. 51. AS 08.92.020 is amended to read:

3 Sec. 08.92.020. FEES. (a) An applicant for a promoter's cer-
4 tificate of registration shall pay an original registration fee estab-
5 lished by regulations adopted under AS 08.01.065 [OF \$75].

6 (b) The biennial fee for the renewal of a registration certifi-
7 cate is also established by regulations adopted under AS 08.01.065
8 [\$40].

9 * Sec. 52. AS 08.98.180 is amended to read:

10 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the
11 requirements of AS 08.98.165(a)(1) and (5) is entitled to be tempo-
12 rarily licensed after applying for examination, if the person works
13 under the supervision of a licensed veterinarian. A license issued
14 under this section is valid until the results of the examinations are
15 published. A person may not receive more than one temporary license.
16 An application for a temporary license must be signed by the supervis-
17 ing veterinarian and accompanied by the temporary license fee required
18 [AS PRESCRIBED] under AS 08.98.190.

19 * Sec. 53. AS 08.98.190 is repealed and reenacted to read:

20 Sec. 08.98.190. FEES. The department shall set fees under
21 AS 08.01.065 for the following:

- 22 (1) application;
- 23 (2) examination;
- 24 (3) investigation of credentials;
- 25 (4) license;
- 26 (5) license renewal;
- 27 (6) temporary license;
- 28 (7) temporary permit.

29 * Sec. 54. The following are repealed AS 08.13.200; AS 08.20.190;

1 AS 08.32.050; AS 08.48.201(b), 08.48.241(i); AS 08.54.170(c); AS 08.64.290,
2 08.64.320; AS 08.80.090.

3 * Sec. 55. Sections 1 - 3 of this Act take effect immediately in accor-
4 dance with AS 01.10.070(c).

5 * Sec. 56. Sections 4 - 54 of this Act take effect on the effective
6 date of regulations adopted under AS 08.01.065, enacted in sec. 2 of this
7 Act.

Introduced: 1/18/85
Referred: Labor & Commerce
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 78

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to occupational licensing fees; and
7 providing for an effective date."

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

9 Section 1. AS 08.01.010 is amended to read:

10 Sec. 08.01.010. APPLICABILITY OF CHAPTER. This chapter applies
11 to the

- 12 (1) Board of Public Accountancy (AS 08.04.010);
- 13 (2) Repealed by sec. 9, ch. 6, SLA 1984;
- 14 (3) Repealed by sec. 6, ch. 32, SLA 1971;
- 15 (4) Board of Chiropractic Examiners (AS 08.20.010);
- 16 (5) Repealed by sec. 9, ch. 6, SLA 1984;
- 17 (6) Board of Dental Examiners (AS 08.36.010);
- 18 (7) Board of Electrical Examiners (AS 08.40.010);
- 19 (8) State Board of Registration for Architects, Engineers
20 and Land Surveyors (AS 08.48.011);
- 21 (9) State Medical Board (AS 08.64.010);
- 22 (10) Board of Nursing (AS 08.68.010);
- 23 (11) Board of Examiners in Optometry (AS 08.72.010);
- 24 (12) Board of Pharmacy (AS 08.80.010);
- 25 (13) Repealed by sec. 42, ch. 167, SLA 1980;
- 26 (14) Board of Veterinary Examiners (AS 08.98.010);
- 27 (15) Board of Psychologist and Psychological Associate
28 Examiners (AS 08.86.010);
- 29 (16) Repealed by sec. 9, ch. 6, SLA 1984;

- 1 (17) Repealed by sec. 9, ch. 6, SLA 1984;
2 (18) Board of Marine Pilots (AS 08.62.010);
3 (19) Board of Dispensing Opticians (AS 08.71.010);
4 (20) Guide Licensing and Control Board (AS 08.54.010);
5 (21) State Physical Therapy Board (AS 08.84.010);
6 (22) Board of Nursing Home Administrators (AS 08.70.010);
7 (23) regulation of professional geologists under AS 08.-
8 02.011;
9 (24) Board of Barbers and Hairdressers (AS 08.13.010);
10 (25) regulation of construction contractors under AS 08.18;
11 (26) regulation of collection agencies under AS 08.24;
12 (27) regulation of morticians under AS 08.42;
13 (28) regulation of concert promoters under AS 08.92.

14 * Sec. 2. AS 08.01 is amended by adding a new section to read:

15 Sec. 08.01.065. FEES ESTABLISHED BY REGULATION. (a) The de-
16 partment shall adopt regulations that establish the amount and manner
17 of payment of application fees, examination fees, license fees, regis-
18 tration fees, permit fees, investigation fees, and all other fees as
19 appropriate for the occupations covered by this chapter and for real
20 estate brokers and salesmen under AS 08.88.

21 (b) Before adopting a regulation under (a) of this section, the
22 department shall consult with the board responsible for regulating the
23 affected occupation.

24 (c) A fee established under this section must reflect, to the
25 extent possible, the actual costs to the department of the activity
26 for which the fee is charged.

27 * Sec. 3. AS 08.01.100(b) is amended to read:

28 (b) A registration, license, permit, or certificate [CERTIFI-
29 CATES] requiring renewal to continue to be effective must be renewed

1 on or before the date set by the department or it will lapse. The
2 department may establish a [A] penalty that must be paid [OF \$10 SHALL
3 BE CHARGED] in addition to all delinquent renewal fees for reinstatement
4 of a registration, license, permit, or certificate which remains
5 lapsed for more than 60 days. The department may establish a penalty
6 under this subsection only by regulation and only after consulting
7 with the appropriate board.

8 * Sec. 4. AS 08.04.190 is amended to read:

9 Sec. 08.04.190. EXAMINATION FEE. An [THE BOARD SHALL CHARGE
10 EACH APPLICANT A FEE OF \$50 FOR THE INITIAL EXAMINATION AND FOR EACH
11 REEXAMINATION. THE] applicant shall pay the appropriate fee estab-
12 lished by regulations adopted under AS 08.01.065 at the time of appli-
13 cation for examination or reexamination.

14 * Sec. 5. AS 08.04.390 is amended to read:

15 Sec. 08.04.390. PERMIT FOR INDIVIDUAL PRACTICE AS A PUBLIC
16 ACCOUNTANT. The board shall issue a permit to engage in the practice
17 of public accounting to a holder of a certificate or license if all
18 offices of the certificate holder or licensee are maintained and
19 registered as required by AS 08.04.350 -- 08.04.380. The biennial
20 permit fee is established by regulations adopted under AS 08.01.065
21 [\$60].

22 * Sec. 6. AS 08.04.400 is amended to read:

23 Sec. 08.04.400. PERMIT FOR PARTNERSHIP OR CORPORATE PRACTICE AS
24 A PUBLIC ACCOUNTANT. The board shall issue a permit to engage in the
25 practice of public accounting as a partnership or as a corporation to
26 a partnership or corporation registered under AS 08.04.240. The
27 biennial permit fee is established by regulations adopted under
28 AS 08.01.065 [\$60]. A permit is valid only for practice under the
29 registered name of the partnership or corporation. A partnership

1 registered under AS 08.04.330 -- 08.04.340 on June 29, 1980, qualifies
2 for a permit under this section as long as each partner personally
3 engaged in the practice of public accounting in this state holds a
4 license or permit under AS 08.04.661.

5 * Sec. 7. AS 08.04.410 is amended to read:

6 Sec. 08.04.410. PERMIT FOR PERSON NOT ENGAGED IN PRACTICE. A
7 person holding a certificate or license who is not engaged in the
8 practice of public accounting may maintain the certificate or license
9 in good standing by registering with the board and paying an annual
10 registration fee established by regulations adopted under AS 08.01.065
11 [OF \$10].

12 * Sec. 8. AS 08.04.420 is amended to read:

13 Sec. 08.04.420. PERMIT FOR GENERAL PRACTICE AS A CERTIFIED
14 PUBLIC ACCOUNTANT. A certified public accountant, or a partnership or
15 corporation of certified public accountants in good standing in a
16 state, not holding a permit under AS 08.04.390 or 08.40.400 nor main-
17 taining an office in this state but engaging in the practice of public
18 accounting in this state, shall apply to the board for a permit to
19 practice. The board shall determine whether the applicant is eligible
20 for the permit. The [ANNUAL] fee for the issuance of a permit is
21 established by regulations adopted under AS 08.01.065 [\$100].

22 * Sec. 9. AS 08.04.430 is amended to read:

23 Sec. 08.04.430. EXPIRATION AND RENEWAL. A permit or registra-
24 tion under this chapter, unless revoked or suspended, must [SHALL] be
25 renewed biennially upon payment of a renewal fee established by regu-
26 lations adopted under AS 08.01.065 [IN THE SAME AMOUNT AS THE INITIAL
27 BIENNIAL FEE].

28 * Sec. 10. AS 08.13.185 is repealed and reenacted to read:

29 Sec. 08.13.185. FEES. Fees for registration, initial license,

1 and renewal are established by regulations adopted under AS 08.01.065
2 for the following categories:

- 3 (1) schools;
- 4 (2) school owners;
- 5 (3) instructor;
- 6 (4) shop owner;
- 7 (5) practitioner of barbering;
- 8 (6) practitioner of hairdressing;
- 9 (7) practitioner of cosmetology;
- 10 (8) temporary permit;
- 11 (9) student permit.

12 (b) Fees for examination and investigation are established by
13 regulations adopted under AS 08.01.065.

14 * Sec. 11. AS 08.18.041 is repealed and reenacted to read:

15 Sec. 08.18.041. FEES. Registration and renewal fees are estab-
16 lished by regulations adopted under AS 08.01.065 for the following
17 categories:

- 18 (1) general contractor;
- 19 (2) specialty contractor.

20 * Sec. 12. AS 08.20.130(d) is amended to read:

21 (d) An applicant may take a re-examination within one year after
22 failing the examination [UPON PAYMENT OF A FEE OF \$10].

23 * Sec. 13. AS 08.20.180 is repealed and reenacted to read:

24 Sec. 08.20.180. FEES. (a) An applicant for an examination, a
25 re-examination, the issuance of a temporary permit, or the initial
26 issuance or renewal of a license shall pay a fee established by regu-
27 lations adopted under AS 08.01.065.

28 (b) License renewal fees are due every four years.

29 * Sec. 14. AS 08.24.100(b) is amended to read:

1 (b) The annual operator's license is [SHALL BE] renewable on or
2 before July 1 of each second year beginning on July 1, 1968, and the
3 biennial fee is established by regulations adopted under AS 08.01.065
4 [\$100].

5 * Sec. 15. AS 08.24.110(a) is amended to read:

6 (a) To qualify for an operator's license, the applicant shall:

7 (1) Repealed, sec. 19, ch. 67, SLA 1983.

8 (2) be a high school graduate, or have the equivalent
9 education of a high school graduate;

10 (3) be of good moral character;

11 (4) not have been convicted of violating this chapter, nor
12 have any unsettled complaints under this chapter against the appli-
13 cant;

14 (5) not have been convicted of a felony or a crime of
15 larceny or embezzlement or a crime involving moral turpitude;

16 (6) be 19 years of age or older at the time of application;

17 (7) not be a disbarred attorney or have filed bankruptcy;

18 (8) pay the biennial license fee which is established by
19 regulations adopted under AS 08.01.065 [FIXED AT \$100].

20 * Sec. 16. AS 08.24.120(a) is amended to read:

21 (a) An application for an operator's license must [SHALL] be
22 made on forms furnished by the department and must [SHALL] contain the
23 information required in AS 08.24.110 and, in addition, the following:

24 (1) a complete set of fingerprints;

25 (2) a 2" x 3" photograph showing a front view of head and
26 shoulders;

27 (3) if an original application, an application fee estab-
28 lished by regulations adopted under AS 08.01.065 [OF \$40];

29 (4) the biennial license fee established by regulations

1 adopted under AS 08.01.065 [REQUIRED BY AS 08.24.100].

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

3 (a) The application must [SHALL] be accompanied by:

4 (1) if an original application, an application fee estab-
5 lished by regulations adopted under AS 08.01.065 [OF \$100];

6 (2) the biennial license fee for a collection agency which
7 is established by regulations adopted under AS 08.01.065 [FIXED AT
8 \$200] for the principal place of business and the same amount [\$200]
9 for each branch office;

10 (3) a bond running to the state with a surety or sureties
11 to the satisfaction of the department, and conditioned that the li-
12 censee shall, within 30 days after the close of each calendar or
13 fiscal month, report and pay to the licensee's customers the net
14 proceeds due and payable of all collections made during the calendar
15 or fiscal month which exceed [EXCEEDS] \$20.

16 * Sec. 18. AS 08.24.200(b) is amended to read:

17 (b) If a licensee under this chapter is delinquent for a period
18 of 15 days in applying for the renewal of a license, the department
19 shall suspend the license and notify the licensee by certified mail or
20 by personal service. The notice must [SHALL] state that the license
21 will be revoked if application for renewal is not made within 15 days
22 after [FROM] the date on which the notice was mailed or personally
23 served. When a licensee has been delinquent more than 60 days in
24 renewing a license or certificate, the department shall charge an
25 additional penalty established under AS 08.01.100(b) before [FEE OF
26 \$50 FOR THE] renewal of the license.

27 * Sec. 19. AS 08.24.370 is amended to read:

28 Sec. 08.24.370. NONRESIDENTS. A nonresident may apply for and
29 receive a collection agency license or an operator license or both on

1 the same basis as a resident. The application fee and the biennial
2 license fee for nonresident operator and nonresident agency licenses
3 are double the same fees for a resident operator and agency estab-
4 lished by regulations under AS 08.01.065. [THE APPLICATION FEE FOR A
5 NONRESIDENT OPERATOR LICENSE IS \$100, AND THE BIENNIAL LICENSE FEE IS
6 \$200. THE APPLICATION FEE FOR A NONRESIDENT AGENCY LICENSE IS \$200,
7 AND THE BIENNIAL LICENSE FEE IS \$400 FOR THE PRINCIPAL PLACE OF BUSI-
8 NESS AND \$400 FOR EACH BRANCH OFFICE.]

9 * Sec. 20. AS 08.40.135(b) is amended to read:

10 (b) A lapsed license may be reinstated upon proof of continued
11 competency by payment of all unpaid renewal fees and any [A] penalty
12 fee established under AS 08.01.100(b), [OF \$25 FOR EACH YEAR THE
13 LICENSE HAS BEEN LAPSED] unless the license has been lapsed for more
14 than two years. If a person's license has been lapsed for more than
15 two years, the person is required to take an examination under AS 08.-
16 40.120.

17 * Sec. 21. AS 08.40.150 is repealed and reenacted to read:

18 Sec. 08.40.150. FEES. Each applicant and each licensee shall
19 pay application and renewal fees as established by regulations adopted
20 under AS 08.01.065.

21 * Sec. 22. AS 08.42.100 is amended to read:

22 Sec. 08.42.100. FUNERAL ESTABLISHMENT PERMIT. After January 1,
23 1977, a person may not conduct, maintain, manage, or operate a funeral
24 establishment unless a permit for each establishment has been issued
25 by the department and is conspicuously displayed in the funeral estab-
26 lishment. Each permit is [SHALL BE] valid only for one specific
27 location, and a separate permit is [PERMITS SHALL BE] required of two
28 or more firms operating from the same funeral establishment. A permit
29 to operate a funeral establishment must [SHALL] be issued by the

1 department upon application for the permit on a form provided by the
2 department. All permits [SHALL] expire at the time established under
3 AS 08.01.100 [ON DECEMBER 31 OF EACH YEAR] and may be renewed for
4 successive [ONE-YEAR] terms. Violation of a provision of AS 08.42.090
5 by a person operating a funeral establishment or, with that person's
6 knowledge or consent, by an employee is [SHALL BE] considered suffi-
7 cient cause for suspension or revocation of the funeral establishment
8 permit.

9 * Sec. 23. AS 08.48.091 is amended to read:

10 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES.
11 Written examinations must [SHALL] be held at least twice each year at
12 places determined by the board unless the examination administered by
13 the board is a national examination prepared only once each year, in
14 which case the examination must [SHALL] be held at least once each
15 year. A candidate failing an examination may apply for reexamination.
16 The examination fee for applicants is [SHALL BE] established by regu-
17 lations adopted under AS 08.01.065 [THE BOARD AND SHALL ACCOMPANY THE
18 APPLICATION].

19 * Sec. 24. AS 08.48.201(b) is amended to read:

20 (b) The registration fee for professional architects, profes-
21 sional engineers and professional land surveyors is [SHALL BE] estab-
22 lished by regulations adopted under AS 08.01.065 [THE BOARD IN AN
23 AMOUNT NOT TO EXCEED \$100 AND SHALL ACCOMPANY THE APPLICATION FOR
24 REGISTRATION].

25 * Sec. 25. AS 08.48.231(b) is amended to read:

26 (b) The renewal of a certificate does not require reapplication
27 if the certificate has not expired or has not been suspended or re-
28 voked. The renewal fee for a certificate is established by regula-
29 tions adopted under AS 08.01.065 [MAY NOT EXCEED \$100].

1 * Sec. 26. AS 08.48.231(c) is amended to read:

2 (c) An [RENEWAL OF AN] expired certificate may be renewed [EF-
3 FECTED] under regulations adopted [PROMULGATED] by the board estab-
4 lishing [REGARDING] requirements for [OF] reexamination [AND PENALTY
5 FEES].

6 * Sec. 27. AS 08.48.241(i) is amended to read:

7 (i) For each certificate of authorization issued to a corpor-
8 ation under the provisions of this chapter, the corporation shall pay
9 [THERE SHALL BE PAID] an initial fee established by regulations adopt-
10 ed under AS 08.01.065 [NOT TO EXCEED \$300].

11 * Sec. 28. AS 08.52.050 is amended to read:

12 Sec. 08.52.050. FEE. An applicant for a certificate of fitness
13 shall pay a fee [OF \$75] at the time of application in the amount
14 established by regulations adopted by the department.

15 * Sec. 29. AS 08.54.160 is amended to read:

16 Sec. 08.54.160. LICENSING OF MARINE MAMMAL GUIDES. The board
17 may establish qualifications [, SET LICENSE FEES,] and issue licenses
18 for marine mammal guides.

19 * Sec. 30. AS 08.54.170(a) is repealed and reenacted to read:

20 (a) A license fee for each of the following license categories
21 is established by regulations adopted under AS 08.01.065:

- 22 (1) master guide;
23 (2) registered guide;
24 (3) class A assistant guide;
25 (4) assistant guide.

26 * Sec. 31. AS 08.54.170(c) is amended to read:

27 (c) The license fee for a transporter is established by regula-
28 tions adopted under AS 08.01.065 [\$10].

29 * Sec. 32. AS 08.54.180 is amended to read:

1 Sec. 08.54.180. EXAMINATION FEE. An applicant for a guide
2 examination shall pay a fee established by regulations adopted under
3 AS 08.01.065 [OF \$25].

4 * Sec. 33. AS 08.54.185 is amended to read:

5 Sec. 08.54.185. ADDITIONAL FEES. In addition to the license and
6 examination fees established by regulations adopted under AS 08.01.065
7 [PROVIDED FOR UNDER THIS CHAPTER], master guides and registered guides
8 are subject to fees imposed under AS 16.05.340(e).

9 * Sec. 34. AS 08.62.140 is repealed and reenacted to read:

10 Sec. 08.62.140. FEES. An application fee, license fee, and
11 agent registration fee are established by regulations adopted under
12 AS 08.01.065.

13 * Sec. 35. AS 08.64.260(c) is amended to read:

14 (c) Applicants failing portions of part I or part II of the
15 examination may retake the portions failed at a prorated fee estab-
16 lished by regulations adopted under AS 08.01.065 [PRESCRIBED IN THE
17 REGULATIONS BY THE BOARD].

18 * Sec. 36. AS 08.64.260(d) is amended to read:

19 (d) Applicants failing part III of the examination shall retake
20 the entire part at a prorated fee established by regulations adopted
21 under AS 08.01.065 [PRESCRIBED IN THE REGULATIONS BY THE BOARD].

22 * Sec. 37. AS 08.64.275(d) is amended to read:

23 (d) Within 10 days after [FROM] the permit has been granted
24 [GRANTING OF THE PERMIT], the board member shall forward [THE FEE] to
25 the department [WITH] a report of the issuance of the permit.

26 * Sec. 38. AS 08.64.315 is repealed and reenacted to read:

27 Sec. 08.64.315. FEES. A fee for each of the following categor-
28 ies is established by regulations adopted under AS 08.01.065:

29 (1) application;

- 1 (2) license by examination;
- 2 (3) license by endorsement or waiver of examination;
- 3 (4) temporary permit;
- 4 (5) locum tenens permit;
- 5 (6) license renewal, active;
- 6 (7) license renewal, inactive;
- 7 (8) license by reexamination.

8 * Sec. 39. AS 08.68.220 is repealed and reenacted to read:

9 Sec. 08.68.220. FEES. A fee for each of the following categor-
10 ies is established by regulations adopted under AS 08.01.065:

11 (1) professional or registered nursing:

- 12 (A) application;
- 13 (B) license by examination;
- 14 (C) license by endorsement;
- 15 (D) license renewal;
- 16 (E) temporary permit;

17 (2) practical or vocational nursing:

- 18 (A) application;
- 19 (B) license by examination;
- 20 (C) license by endorsement;
- 21 (D) license renewal;
- 22 (E) temporary permit.

23 * Sec. 40. AS 08.70.150 is repealed and reenacted to read:

24 Sec. 08.70.150. FEES. Fees for examination and investigation of
25 persons applying for a license, initial license, and license renewal
26 are established by regulations adopted under AS 08.01.065.

27 * Sec. 41. AS 08.71.120 is repealed and reenacted to read:

28 Sec. 08.71.120. FEES. Fees for examination, initial license,
29 and license renewal are established by regulations adopted under

1 AS 08.01.065.

2 * Sec. 42. AS 08.71.130(b) is amended to read:

3 (b) If the license is not renewed on or before the [THAT] date
4 set by the department under (a) of this section, the license lapses.
5 Before [, IT SHALL LAPSE. A PENALTY OF \$10 SHALL BE CHARGED, IN
6 ADDITION TO ALL DELINQUENT FEES, FOR THE] reinstatement of a license
7 that has remained [WHICH REMAINS] lapsed for more than 60 days, all
8 delinquent renewal fees, and any penalty established under AS 08.01.-
9 100(b), must be paid.

10 * Sec. 43. AS 08.72.191 is repealed and reenacted to read:

11 Sec. 08.72.191. FEES. Fees for the following categories are
12 established by regulations adopted under AS 08.01.065:

- 13 (1) examination;
- 14 (2) reexamination for the written portion;
- 15 (3) waiver of examination;
- 16 (4) certificates;
- 17 (5) renewal;
- 18 (6) branch office registration and renewal.

19 * Sec. 44. AS 08.80.160 is repealed and reenacted to read:

20 Sec. 08.80.160. FEES. Fees for the following categories are
21 established by regulations adopted under AS 08.01.065:

- 22 (1) examination;
- 23 (2) reexamination;
- 24 (3) investigation for licensing by credentials;
- 25 (4) pharmacist license;
- 26 (5) temporary license;
- 27 (6) wholesale drug dealer license;
- 28 (7) retail pharmacy license;
- 29 (8) pharmacy intern registration;

- 1 (9) emergency permit;
- 2 (10) hospital pharmacy license (in- and outpatient);
- 3 (11) hospital drug room license (inpatient);
- 4 (12) nursing home and related facilities license for in-
- 5 patient dispensing;
- 6 (13) license amendment or replacement.

7 * Sec. 45. AS 08.84.032 is amended to read:

8 Sec. 08.84.032. FOREIGN-TRAINED PHYSICAL THERAPY OR PHYSICAL
9 THERAPY ASSISTANT APPLICANTS. To be eligible for licensure by the
10 board as a physical therapist or physical therapy assistant, an appli-
11 cant who is a graduate of a school of physical therapy which is
12 located outside of the United States shall

13 (1) have completed, to the satisfaction of the board, a
14 resident course of study and professional instruction equivalent to
15 that provided by a school approved by the Council on Medical Education
16 and Hospitals of the American Medical Association or the American
17 Physical Therapy Association, and furnish documentary evidence of
18 compliance with this paragraph, translated, if necessary, into the
19 English language by a person verifying the accuracy of the transla-
20 tions;

21 (2) have completed, to the satisfaction of the board, an
22 internship under the continuous direction and immediate supervision of
23 a physical therapist in an institution which ordinarily provides
24 physical therapy and is approved by the board, for that period of time
25 specified by the board, and furnish documentary evidence of compliance
26 with this paragraph;

27 (3) pass an oral examination administered by a member of
28 the board;

29 (4) have met applicable requirements under the federal

1 Immigration and Nationality Act (8 U.S.C. 1101 et seq.), unless a
2 United States citizen;

3 (5) pass the examination administered by the board under
4 AS 08.84.030(3); and

5 (6) pay the fee required [PRESCRIBED] under AS 08.84.050
6 [AS 08.84.050(2) AND (3)].

7 * Sec. 46. AS 08.84.050 is repealed and reenacted to read:

8 Sec. 08.84.050. FEES. Fees for the following categories are
9 established by regulations adopted under AS 08.01.065:

- 10 (1) application;
- 11 (2) license by examination;
- 12 (3) license by acceptance of credentials;
- 13 (4) renewal;
- 14 (5) temporary permit.

15 * Sec. 47. AS 08.84.100(b) is amended to read:

16 (b) Before [A PENALTY OF \$10 SHALL BE CHARGED IN ADDITION TO ALL
17 DELINQUENT RENEWAL FEES FOR] reinstatement of a license that [WHICH]
18 remains lapsed for more than 60 days, all delinquent renewal fees and
19 any penalty established under AS 08.01.100(b) must be paid. If a [THE]
20 license remains lapsed for more than three years, the board may re-
21 quire the applicant to take and pass the examination given under
22 AS 08.84.030(3).

23 * Sec. 48. AS 08.86.140 is repealed and reenacted to read:

24 Sec. 08.86.140. FEES. (a) Fees under this chapter for the
25 following categories are established by regulations adopted under
26 AS 08.01.065:

- 27 (1) application;
- 28 (2) examination;
- 29 (3) credential review;

1 (4) initial license;

2 (5) license renewal.

3 (b) A license must be renewed every four years.

4 * Sec. 49. AS 08.88.221 is repealed and reenacted to read:

5 Sec. 08.88.221. FEES. Fees for the following categories for a
6 real estate broker, associate broker, or salesman licensee or appli-
7 cant are established by regulations adopted under AS 08.01.065:

8 (1) examination;

9 (2) reciprocity;

10 (3) initial license;

11 (4) renewal of an active license;

12 (5) renewal of an inactive license;

13 (6) amending or transferring a license.

14 * Sec. 50. AS 08.92.020 is amended to read:

15 Sec. 08.92.020. FEES. (a) An applicant for a promoter's cer-
16 tificate of registration shall pay an original registration fee estab-
17 lished by regulations adopted under AS 08.01.065 [OF \$75].

18 (b) The biennial fee for the renewal of a registration certifi-
19 cate is also established by regulations adopted under AS 08.01.065
20 [\$40].

21 * Sec. 51. AS 08.98.180 is amended to read:

22 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the
23 requirements of AS 08.98.165(a)(1) and (5) is entitled to be tempo-
24 rarily licensed after applying for examination, if the person works
25 under the supervision of a licensed veterinarian. A license issued
26 under this section is valid until the results of the examinations are
27 published. A person may not receive more than one temporary license.
28 An application for a temporary license must be signed by the supervis-
29 ing veterinarian and accompanied by the temporary license fee required

1 [AS PRESCRIBED] under AS 08.98.190.

2 * Sec. 52. AS 08.98.190 is repealed and reenacted to read:

3 Sec. 08.98.190. FEES. Fees for the following categories are
4 established by regulations adopted under AS 08.01.065:

- 5 (1) application;
6 (2) examination;
7 (3) investigation of credentials;
8 (4) license;
9 (5) license renewal;
10 (6) temporary license;
11 (7) temporary permit.

12 * Sec. 53. AS 08.13.200; AS 08.20.190; AS 08.32.050; AS 08.64.290,
13 08.64.320; and AS 08.80.090; are repealed.

14 * Sec. 54. Sections 1 -- 3 of this Act take effect immediately in
15 accordance with AS 01.10.070(c).

16 * Sec. 55. Sections 4 -- 53 of this Act take effect on the effective
17 date of regulations adopted under AS 08.01.065, enacted in sec. 2 of this
18 Act.