

HB

123

1 (15) Board of Pharmacy (AS 08.80.010) - June 30, 2010 [2005];

2 * Sec. 4. AS 08.03.010(c)(17) is amended to read:

3 (17) Board of Professional Counselors (AS 08.29.010) - June 30, 2010
4 [2005];

5 * Sec. 5. AS 08.03.010(c)(18) is amended to read:

6 (18) Board of Psychologist and Psychological Associate Examiners
7 (AS 08.86.010) - June 30, 2010 [2005];

8 * Sec. 6. AS 08.03.010(c)(21) is amended to read:

9 (21) Board of Veterinary Examiners (AS 08.98.010) - June 30, 2009
10 [2005].

11 * Sec. 7. AS 08.86.150 is amended to read:

12 **Sec. 08.86.150. License by credentials.** A person who is licensed or certified
as a psychologist by a licensing authority other than the state is entitled to be licensed
in the state without examination if the person applies on the proper application form,
submits proof of continued competence as required by regulation of the board, pays
the credential review fee, and the person

(1) holds a doctoral degree with primary emphasis on psychology that
satisfies the requirements of AS 08.86.130 and the examination and qualification
requirements for the person's out-of-state license or certificate were essentially similar
to or higher than the examination and qualification requirements for licensure under
this chapter, [OR]

(2) is a diplomate in good standing of the American Board of
Professional Psychology; or

(3) is certified or registered with a credentialing organization in
psychology approved by the board in regulation and with requirements
essentially similar to or higher than the requirements for licensure under this
chapter

17
18
19 * Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 EXEMPTION FROM AS 44.66.050(e). Sections 1 - 6 of this Act are exempt from the
22 provision of AS 44.66.050(e) that prohibits a bill from continuing the existence of more than
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4/20/05
Coghell
move bill as amended
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4/20/05
24-LS0360X
Mischel
4/18/05

CS FOR HOUSE BILL NO. 123()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Coghell
moved
Back Object

BY

Offered:
Referred:

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE

Y
JC
VK
LM
WR
N
BK
EB
Adopted

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to occupational licensing fees, fines, and penalties and to regulatory
2 board fines; extending the termination dates of the Boards of Barbers and Hairdressers,
3 Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and
4 Psychological Associate Examiners, and Veterinary Examiners; relating to an exemption
5 that allows one bill to continue more than one board, commission, or agency program;
6 and providing for an effective date."

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

8 * Section 1. AS 08.01.065(c) is amended to read:

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

1 equal to fee, fine, and penalty collections related to that occupation. If the review
2 indicates that an occupation's fee, fine, and penalty collections and an occupation's
3 regulatory costs are not approximately equal, the department shall calculate fee
4 adjustments and adopt regulations under (a) of this section to implement the
5 adjustments. In January of each year, the department shall report on all fee levels and
6 revisions for the previous year under this subsection to the office of management and
7 budget. If a board regulates an occupation covered by this chapter, the department
8 shall consider the board's recommendations concerning the occupation's fee levels and
9 regulatory costs before revising fee schedules to comply with this subsection. In this
10 subsection, "regulatory costs" means costs of the department that are attributable to
11 regulation of an occupation plus

12 (1) all expenses of the board that regulates the occupation if the board
13 regulates only one occupation;

14 (2) the expenses of a board that are attributable to the occupation if the
15 board regulates more than one occupation.

16 * Sec. 2. AS 08.01.065(f) is amended to read:

17 (f) Notwithstanding (c) of this section, the department shall establish fee levels
18 under (a) of this section so that the total amount of fees, fines, and penalties collected
19 by the State Board of Registration for Architects, Engineers, and Land Surveyors
20 approximately equals the total regulatory costs of the department and the board for all
21 occupations regulated by the board. The department shall set the fee levels for the
22 issuance and renewal of a certificate of registration issued under AS 08.48.211 so that
23 the fee levels are the same for all occupations regulated by the board.

24 * Sec. 3. AS 08.01.065(g) is amended to read:

25 (g) Notwithstanding (c) of this section, the department shall establish fee
26 levels under (a) of this section so that the total amount of fees, fines, and penalties
27 collected by the department for all occupations regulated under AS 08.11
28 approximately equals the total regulatory costs of the department for all occupations
29 regulated by the department under AS 08.11. The department shall set the fee levels
30 for the issuance and renewal of licenses issued under AS 08.11 so that the fee levels
31 are the same for all occupations regulated by the department under AS 08.11.

1 * Sec. 4. AS 08.01.065(h) is amended to read:

2 (h) Notwithstanding (c) of this section, the department shall establish fee
3 levels under (a) of this section so that the total amount of fees, fines, and penalties
4 collected by the Board of Barbers and Hairdressers approximately equals the total
5 regulatory costs of the department, the board, and the Department of Environmental
6 Conservation for all occupations regulated by the board. For purposes of this
7 subsection, the regulatory costs of the Department of Environmental Conservation for
8 the occupations regulated by the board include the cost of preparing for and
9 conducting disciplinary hearings under AS 08.01.075, the cost of inspections under
10 AS 08.13.210(b), the cost of developing and adopting regulations under AS 44.46.020
11 for barbershop, hairdressing, manicuring, esthetics, body piercing, ear piercing, and
12 tattooing and permanent cosmetic coloring establishments, and the cost to the
13 Department of Environmental Conservation of enforcing those regulations except for
14 the enforcement costs relating to ear piercing establishments. The department shall set
15 the fee levels for the issuance and renewal of a practitioner's license issued under
16 AS 08.13.100 so that the license and license renewal fees are the same for all
17 occupations regulated by the Board of Barbers and Hairdressers.

18 * Sec. 5. AS 08.01.065(i) is amended to read:

19 (i) Notwithstanding (c) of this section, the department shall establish fee levels
20 under (a) of this section so that the total amount of fees, fines, and penalties collected
21 by the Department of Commerce, Community, and Economic Development for
22 specialty contractors, home inspectors, and associate home inspectors approximately
23 equals the total regulatory costs of the department for those three registration
24 categories. The department shall set the fee levels for the issuance and renewal of a
25 certificate of registration issued under AS 08.18 so that the fee levels are the same for
26 all three of these registration categories and so that the fee level for a home inspector
27 with a joint registration is not different from the fee level for a home inspector who
28 does not have a joint registration. In this subsection, "joint registration" has the
29 meaning given in AS 08.18.171.

30 * Sec. 6. AS 08.01.075 is amended by adding a new subsection to read:

31 (g) A fine imposed and collected by a board under (a) of this section shall be

1 accounted for separately and may be appropriated by the legislature for the benefit and
2 use of the board in carrying out the board's duties.

3 * Sec. 7. AS 08.03.010(c)(4) is amended to read:

4 (4) Board of Barbers and Hairdressers (AS 08.13.010) - June 30, 2011
5 [2005];

6 * Sec. 8. AS 08.03.010(c)(6) is amended to read:

7 (6) Board of Social Work Examiners (AS 08.95.010) - June 30, 2010
8 [2005];

9 * Sec. 9. AS 08.03.010(c)(15) is amended to read:

10 (15) Board of Pharmacy (AS 08.80.010) - June 30, 2010 [2005];

11 * Sec. 10. AS 08.03.010(c)(17) is amended to read:

12 (17) Board of Professional Counselors (AS 08.29.010) - June 30, 2010
13 [2005];

14 * Sec. 11. AS 08.03.010(c)(18) is amended to read:

15 (18) Board of Psychologist and Psychological Associate Examiners
16 (AS 08.86.010) - June 30, 2010 [2005];

17 * Sec. 12. AS 08.03.010(c)(21) is amended to read:

18 (21) Board of Veterinary Examiners (AS 08.98.010) - June 30, 2009
19 [2005].

20 * Sec. 13. AS 37.05.146(c)(24) is amended to read:

21 (24) receipts of the Department of Commerce, Community, and
22 Economic Development under AS 08.01.065 and from fines and penalties collected
23 in licensing and disciplinary actions for occupations under AS 08.01.010
24 [AS 08.01.065(a), (c), AND (f)];

25 * Sec. 14. AS 08.95.920 is repealed.

26 * Sec. 15. The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 EXEMPTION FROM AS 44.66.050(e). Sections 7 - 12 of this Act are exempt from
29 the provision of AS 44.66.050(e) that prohibits a bill from continuing the existence of more
30 than one board, commission, or agency program.

31 * Sec. 16. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 123(L&C)
 (H) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
 Title: Occupations Fee and Extension of Boards RDU: Occupational Licensing (117)
 Component: Occupational Licensing
 Sponsor: Labor and Commerce
 Requester: House Labor and Commerce Component No: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	333.7	333.7	333.7	333.7	
Travel	0.0	36.5	36.5	36.5	36.5	
Contractual	0.0	115.6	115.6	115.6	115.6	
Supplies	0.0	0.4	0.4	0.4	0.4	
Equipment	0.0	0.0	0.0	0.0	0.0	
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	486.2	486.2	486.2	486.2	0.0

CAPITAL EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CHANGE IN REVENUES (1156)	0.0	486.2	486.2	486.2	486.2	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.0	486.2	486.2	486.2	486.2	0.0
TOTAL	0.0	486.2	486.2	486.2	486.2	0.0

Estimate of any current year (FY2005) cost: 486.2
 Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 123 allows fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.

The bill also extends the following Boards to June 30, 2009: Barbers and Hairdressers, Social Workers, Pharmacy, Professional Counselors, Psychology, and Veterinary. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the Boards to conclude their affairs. FY 2006 funding is included in the Operating Budget request. The costs shown for subsequent fiscal years reflect the direct costs included in the FY 2006 budget. The direct costs by board are shown on the attached page.

Prepared by: Jennifer Strickler, Administrative Manager Phone: (907) 465-2144
 Division: Occupational Licensing Date/Time: 2/3/05 6:14 PM
 Approved by: Edgar Blanchford, Commissioner Date: 2/3/2005
 Agency: Commerce, Community and Economic Development

FISCAL NOTE #1

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. CSHB 123(L&C)

ANALYSIS CONTINUATION

DIRECT Expenses

	Barbers and Hairdressers	Social Workers	Pharmacy	Professional Counselors	Psychology	Veterinary	TOTAL
Personal Svcs	122,077.11	33,827.27	73,370.00	33,902.01	37,247.84	33,271.49	333,895.72
Travel	5,724.95	2,785.15	12,807.18	4,889.65	7,425.37	2,856.80	36,489.10
Contractual	34,760.13	8,247.63	34,472.41	7,356.23	23,623.41	7,138.79	115,598.60
Commodities	172.03	14.84	57.61	14.83	12.48	153.47	425.26
Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	162,734.22	44,874.89	120,707.20	46,162.72	68,309.10	43,420.55	486,208.68

The costs above reflect the FY04 Direct costs by Board and are included in the FY05 Budget and the Governor's FY06 operating budget request.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR CS HB 123 BY: Representative Tom Anderson

TITLE: " An Act relating to occupational licensing fees and receipts; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

CS HB 123 extends the sunset for the boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologists and Psychological Associate Examiners and Veterinary Examiners. Each of these boards have been recommended by Legislative Audit for extension.

Additionally, CS HB 123 allows fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board. This change codifies current practice and is included by request of the Division of Occupational Licensing

I would ask for your support on CS HB 123.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

Sectional Analysis for CS HB 123 BY: Representative Tom Anderson

- Section 1-4. Amends the uncodified law of the State of Alaska to allow fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.
- Section 5. Extends the sunset of the Board of Barbers and Hairdressers to June 30, 2011.
- Section 6. Extends the sunset of the Board of Social Work Examiners to June 30, 2010.
- Section 7. Extends the sunset of the Board of Pharmacy to June 30, 2010.
- Section 8. Extends the sunset of the Board of Professional Counselors to June 30, 2010.
- Section 9. Extends the sunset of the Board of Psychologist and Psychological Associate Examiners to June 30, 2010.
- Section 10. Extends the sunset of the Board of Veterinary Examiners to June 30, 2009.
- Sections 11-12. Further amends statute to allow fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.
- Section 13. Allows the grouping of these five sunset extensions into one bill.