

HB

28

<TARGET><BILL>HB 28</BILL><SUBJECT>HB
28</SUBJECT><COMM>HFIN27</COMM></TARGET>

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version CSHB 28(L&C)
(H) Publish Date 2/9/2011

Identifier (file name) HB028-CCED-CBPL-02-03-11 Dept. Affected DCCED
Title Temp Licenses for Professionals Appropriation CBPL
Sponsor Representatives Thomas, Herron, Feige Allocation CBPL
Requester House Labor & Commerce OMB Component Number 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
1156 Receipt Support Services		0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version

Prepared by Don Habeger, Director
Division Corporations, Business and Professional Licensing
Approved by Susan K. Bell, Commissioner
Commerce, Community and Economic Development

Phone 465-2536
Date/Time 2/4/11 3:00 PM
Date 2/4/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. CSHB 28(L&C)

Analysis

The legislation would require the Department to implement regulations to establish criteria for issuing a temporary courtesy license to a nonresident so they may lawfully practice their occupation. The agency does not predict a significant fiscal impact as a result of the proposed statute. Accordingly, the agency submits a zero fiscal note.

CS FOR HOUSE BILL NO. 28(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES THOMAS, HERRON, AND FEIGE, Peggy Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to temporary courtesy licenses for certain nonresident professionals**
2 **and to a temporary exemption from fees and other licensing requirements for active**
3 **duty members of the armed forces."**

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

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

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

13 (1) is married to and living with a member of the armed forces of the
14 United States who is on active duty and assigned to a duty station in this state under

L

1 official active duty military orders;

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

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

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

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

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

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

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

27 (d) A member of the armed forces of the United States on active duty who is a
28 licensee under this title in good standing at the time of the licensee's active duty order
29 is exempt from any fees or other requirements to maintain that license or good
30 standing while the licensee is on active duty, and for 180 days after active duty ends, if
31 the licensee does not engage in licensed practice for profit in the private sector. The

1 licensee shall pay fees and meet all other requirements for the license period beginning
2 after the exemption ends.

3 (e) This section does not apply to the practice of law or the regulation of
4 attorneys under AS 08.08.

*Adopted
2/16/11*

27-LS0192\S
Kirsch
2/15/11

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11 appropriate board. An application must include evidence satisfactory to the department
12 or appropriate board that the applicant

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14 United States who is on active duty and assigned to a duty station in this state under

1 official active duty military orders;

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3 territory of the United States with requirements that the department or appropriate
4 board determines are equivalent to those established under this title for that
5 occupation;

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4 attorneys under AS 08.08.

Alaska State Legislature
HOUSE FINANCE COMMITTEE

Agenda
1:30 PM

Wednesday, February 16, 2011

HB 28-TEMP LICENSES FOR PROFESSIONALS
CS WORK DRAFT 27-LSO192\S
See list of witnesses provided by sponsor

HB 65-SENIOR CITIZEN HOUSING DEV. FUND GRANTS
NEW FISCAL NOTE REV 0 replaces published #1

See teleconference testifier question only list provided by sponsor

2/16/11



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

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State Capitol

Juneau AK, 99801-1182

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List of Witnesses for HB 28

Mark San Souci

Regional Liaison Northwest (WA, AK, ID, OR)

Defense State Liaison Office

Office of the Deputy Assistant Secretary of Defense

DUSD (Military Community and Family Policy)

2/16/11



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Explanation of Changes to CSHB 28 (L&C)

HB 28

Granted temporary licenses to all persons entering the state who practiced in a profession regulated by the Division of Corporations, Business and Professional Licensing as long as they met certain requirements:

- 1.) Had to hold a current license in another jurisdiction,
- 2.) Had to be engaged in the active practice of their occupation for at least 2 of the past 5 years,
- 3.) Could not have been under any disciplinary action in another jurisdiction,
- 4.) Had to pay any necessary fees.

Attorneys were excluded because they are not regulated by the Division of Corporations, Business and Professional Licensing.

CSHB 28 (L&C)

Changed to limit the granting of temporary licenses to military spouses. A military spouse can get a temporary license in their field if:

- 1.) They hold a current license in another jurisdiction,
- 2.) Are not and have not faced disciplinary action in another jurisdiction,
- 3.) Have complied with any necessary background checks,
- 4.) Have paid any necessary fees.

The temporary license issued under this section is valid for 180 days and can be renewed **once** at the discretion of the Department or appropriate Board.

A new section was added to exclude service members from having to pay any renewal fees while they are on active duty. This exclusion expires 180 days after their period of active duty ends. This section does not apply to military spouses, just service members.

Marine Pilots were excluded due to the fact that they are not only state specific but region specific. They have a strict mechanism for temporary licenses, but each license only applies to a particular region in the state.

2/16/11



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Sponsor Statement for CSHB 28

An Act Relating to Temporary Licenses for Certain Nonresident Professionals and to a Temporary Exemption from Fees and other Licensing Requirements for Active Duty Members of the Armed Forces

HB 28 allows the spouses of service members on active duty to obtain a temporary license if they practice in an area that is regulated by the Division of Corporations, Business, and Professional Licensing.

The lives of military families are dominated by frequent deployments, relocations, and extended periods of single parenthood. Military spouses are some of the most mobile populations in our country, making the maintenance of professional licenses a large obstacle. When deciding whether or not to stay in the armed forces, service members often take into account the well being of their spouses and families. Being able to practice in their field of expertise goes a long way towards fulfilling the needs of our military spouses and their families.

CSHB 28 allows a military spouse to obtain a temporary license in their field of practice as long as they meet the professional standards which are already required by law or regulation. The temporary license will be valid for six months at which time the military spouse has the option of obtaining an Alaska license or asking for a renewal of the temporary license.

Military spouses are just like their civilian counterparts. They depend on two incomes and want to achieve their goals and aspirations. CSHB 28 helps to alleviate the hardships that they face due to their highly transient lifestyle. I strongly urge your support of CSHB 28.

2/16/11



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ALASKA STATE LEGISLATURE DISTRICT 5

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Professions Covered by HB 28

- (1) Acupuncturists;
- (2) Architects, Engineers, and Land Surveyors;
- (3) Collection Agencies;
- (4) Audiologists and speech-language pathologists;
- (5) Barbers and Hairdressers;
- (6) Big Game Commercial Services;
- (7) Concert Promoters;
- (8) Chiropractic Examiners;
- (9) Construction Contractors;
- (10) Dental Examiners;
- (11) Dietitians and Nutritionists;
- (12) Dispensing Opticians;
- (13) Electrical Administrators;
- (14) Euthanize Domestic Animals;
- (15) Geologists;
- (16) Guardians and Conservators;
- (17) Hearing Aid Dealers;

- (18) Home Inspectors;
- (19) Marital and Family Therapists;
- (20) Mechanical Administrators;
- (21) Medical Board;
- (22) Midwives;
- (23) Morticians;
- (24) Naturopathy;
- (25) Nurses Aides;
- (26) Nurses;
- (27) Nursing Home Administrators;
- (28) Optometrists;
- (29) Pharmacists;
- (30) Physical and Occupational Therapists;
- (31) Professional Counselors;
- (32) Psychologists and Psychological Associates;
- (33) Public Accountants;
- (34) Real Estate Appraisers;
- (35) Real Estate Commission;
- (36) Social Work Examiners
- (37) Underground Storage Tank Workers
- (38) Veterinary Examiners

http://www.rand.org/pubs/research_briefs/RB9056/index1.html

Working Around the Military Challenges of Military Spouse Employment

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Key findings

Military wives are employed at lower rates and earn less than civilian wives, on average.

Civilian wives with the same characteristics as military wives actually have better employment outcomes than the average civilian wife.

The majority of military spouses believe that the military lifestyle — including frequent moves, deployments and long hours that keep service members from assisting with parenting, and living in areas with poor local labor market conditions — has negatively affected their employment opportunities. Almost half believe that their educational opportunities have suffered.

Military spouses work for different reasons, based on their own education level, their service member's pay grade, and their financial situation.

Successful recruiting and retention of the active duty force depends in large part on the extent to which service members and their spouses are satisfied with the military lifestyle. Prior research suggests both that the most satisfied military families are those with an employed spouse and that the influence of military spouses on service member retention decisions has increased with the proportion of military spouses working outside the home.

The majority of military spouses are employed. Nonetheless, the RAND Corporation finds that they are less likely to be employed, are more likely to be seeking work, and earn less than comparable civilian spouses.

Common explanations for their different employment outcomes are that military spouses tend to be younger, which influences their earnings and employability; that they may choose not to work; or that there may be aspects of the military lifestyle that preclude their employment or affect the types of jobs they accept (and thus their earnings).

http://www.rand.org/pubs/research_briefs/RB9056/index1.html

To parse these varied explanations and gain a more detailed picture of military spouse employment, RAND researchers characterized military spouse employment based on the analysis of available Census and other data, including the personal perceptions and experiences of military spouses gained from interviews with more than 1,100 military spouses. The goal was to consider the demographics of military spouses, such as age, education level, or number and age of children, as well as less observable factors, such as spouse's interest in work, employer biases against military spouses, or the impact of the military lifestyle on the service member's family.

Who Are Military Spouses?

Military spouses differ from their civilian counterparts in ways that could explain workforce participation levels. For instance, as befits popular conceptions, military spouses are more likely to experience frequent long-distance relocations, and are on average younger and thus more likely to have young children at home. Conventional wisdom also tends to envision these spouses in rural locales that limit their employment options and wages. In reality, however, military wives⁽¹⁾ are more likely than civilian wives to live in metropolitan areas. Moreover, they are more likely to have graduated from high school and to have some college education, which ostensibly would increase their employability. But to what extent, then, are their employment outcomes the result of their age, their frequent moves, or other observable attributes?

To answer that question, researchers compared military spouses with civilian "look-alikes" who share the same age, education level, ethnicity, and even frequency of moves. The comparison revealed that the *look-alikes generally fared both better than the military spouses and better than the civilian average*. In other words, the demographics of military spouses suggest that they should have better employment outcomes and higher wages than the average civilian spouse. Instead, however, they are employed at much lower rates and earn less than both the average civilian spouse and those who exhibit the same characteristics. Moreover, RAND compared military spouses specifically with civilian spouses residing in the same metropolitan areas and found that military spouses earn less than their civilian neighbors.

A View from the Inside: What the Spouses Themselves Say

By eliciting spouses' views about their reasons for working or staying at home, their experiences in or out of the labor market, and what they believe about the impact of military life on their employment and educational opportunities, the interviews done as part of this research paint a richer portrait of the relationship between employment status and the conditions of a military lifestyle.

One size won't fit all. Reasons for working differ among groups of spouses

To formulate policies to improve employment, it is important to understand spouse motivations for working. About three-quarters of interviewed spouses who were either employed or seeking work mentioned financial reasons for working, with working *to pay bills and cover basic expenses* as the most widely cited primary reason. The majority of spouses also discussed nonmonetary motives such as working *to avoid boredom and keep busy*, working for *personal fulfillment or independence*, or working *to maintain skills and career status*. Spouses' motivation for working varied based on the pay grade of the service member, the family's financial situation, and the education and occupation of the military spouse. For example, personal fulfillment or independence was a nonfinancial primary reason for working that was widely cited by better-educated spouses and those married to officers. Spouses with less education, married to more-junior enlisted service members, and in more challenging financial circumstances tended to cite financial necessity as their primary reason for working.

Many spouses opt out of the workforce because of conditions unique to the military lifestyle

Just as revealing are the reasons offered by those spouses who are neither employed nor seeking employment. The vast majority (approximately three-quarters) of spouses out of the labor force mentioned full-time parenting responsibilities as their reason for not working. While some of these spouses prefer to remain out of the labor force, not all stay-at-home spouses lack a "taste" for work. A sizable number of spouses neither working nor seeking work mentioned barriers, including day care

problems, local labor market conditions, or demands of the military lifestyle, that hinder their employment. Although day care and local labor market conditions are issues that large numbers of civilian spouses also face, many military spouses viewed these conditions as the result of their military lifestyle, either because they were removed from extended family that could help with the parenting responsibilities, because they would not have self-selected the location to which the military sent them, or because military demands such as deployments and long hours precluded their service member from assisting them.

A majority believe that military life negatively affected their employment and education

The clearest indicator of the challenges of military spouse employment is the fact that almost two-thirds of those interviewed felt that being a military spouse had a negative impact on their work opportunities. The most frequently cited cause was *frequent and disruptive moves*. Other causes cited were *service member absence and the related heavy parenting responsibilities* as well as *child care difficulties*. These spouses also referred to the inflexibility of the military workplace to accommodate the needs of military parents. Finally, some spouses cited an *employer bias* against or stigmatization of military spouses, often driven by the employer's concern that the spouse will be forced to leave abruptly. As with frequent moves and service member absence, this perceived cause is uniquely military. Many spouses also reported a negative impact on their education. Almost half the spouses believed that their educational opportunities had suffered negatively, once again citing frequent moves and service member absence.

Steps to Improve Employment and Educational Opportunities and Thus Enhance Quality of Life

When asked what the military might do to improve their employment and educational opportunities, the spouses' most common recommendation was that the Department of Defense (DoD) increase the affordability and accessibility of both education and military child care programs.

Given these and other spouse suggestions and this study's findings, RAND researchers generated the following recommendations for DoD to consider in addressing and improving military spouse employment:

- Design employment programs or policies that recognize that different groups of spouses work for different reasons.
- Continue to address military child care availability and affordability, including extended-hours and part-time child care.
- Pursue relationships with local employers and large, nationally prevalent employers to improve hiring conditions for military spouses.
- Consider incentives or requirements for military contractors to prioritize hiring military spouses.
- Reexamine the priority system for civil service jobs, including whether military spouses should receive higher priority than non-retiree veterans.
- **Address licensing and certification hurdles to help relocating spouses continue their careers.**
- Raise awareness about existing spouse employment programs.

- Become a more family-friendly employer, including better informing families about their service member's schedule and creating more ways for service members to help their spouses with the "crises" of parenthood.

Moreover, the researchers recommended that DoD determine its official position on military spouse education and develop a policy statement to reflect this position. The policy statement should be the basis of how, and establish the extent to which, DoD should encourage, support, or even invest in military spouse education. Depending on the extent of DoD support for military spouse education, the department could address spouse education through such means as

- encouraging education providers to maximize the number of classes offered on military bases and ease the administrative difficulty of transferring courses
- pursuing in-state tuition rates for military spouses
- creating online or distance-learning opportunities.

These findings provide an expansive portrait of military spouse living and working conditions. The quantitative data available confirm the perceptions and experiences of many of the military spouses interviewed and demonstrate that many military spouses make personal employment or academic sacrifices to support their service member spouse's career demands. The strains posed by frequent moves, long spouse absences, and related child care dilemmas are products of the military life. And these strains can play a role in service members' leaving the military to pursue what they perceive to be more family-friendly professions. But by taking some or all of these steps, DoD could reap rewards both in terms of concrete quality-of-life improvements and in general perceptions among service members and spouses that the military is listening to, and acting on, their concerns.

[1] Due to the small numbers of male spouses, the quantitative analysis of Census and other data included only female spouses of male service members.

2/16/11



Alaska Dental Society

9170 Jewel Lake Road, Suite 203
Anchorage, Alaska 99502-5390
(907) 563-3003 • FAX: 563-3009
info@akdental.org

February 10, 2011

Members of the 27th Alaska Legislature

The Alaska Dental Society urges your support of HB 28 An Act relating to temporary licenses for certain nonresident professionals sponsored by Representatives Thomas and Herron.

HB28 will allow spouses of active duty military personnel transferred to Alaska to utilize their professional skills in the private sector while they complete the process for a regular professional Alaska license. Under HB28 they are eligible for a courtesy license while they are completing the paperwork required to obtain a permanent license. The courtesy license, which requires they have an equivalent license in good standing in another state, will allow these professionals to work in their professional field without delay. Under HB28 the licensees will be required to obtain a permanent license within a year of being issued a courtesy license.

The Alaska Dental society believes professionals who have spouses serving in the armed forces in Alaska should not be needlessly prevented from pursuing their professional careers.

David Logan, DDS
Legislative Chair, Alaska Dental Society