

HB

187

<TARGET><BILL>HB 187</BILL><SUBJECT>HB
187</SUBJECT><COMM>HFIN28</COMM></TARGET>



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Testimony of Patricia Senner MS, RN, ANP
Professional Practice Director
HB 187
February 17, 2014

My name is Patricia Senner and I am speaking today on behalf of the Alaska Nurses Association.

The Alaska Board of Nursing licenses 11,732 Registered Nurses, 907 Licensed Practical Nurses and 3,399 Certified Nursing Aids for a total of 16,038 licensees. This represents about 1/3rd of the professionals receiving licenses from the Division of Corporations, Business and Professional Licensing. This also means that nurses pay about 1/3rd of the overhead for the Division.

The Alaska Nurses Association has no objection to the Division's attempt to reduce the number of small fees it collects. We also have no objection in calculating licensing fees based on a 2 year license renewal cycle rather than yearly. We are also not opposed to "amortizing" individual Board expenses over a longer period of time. In order to increase efficacies and reduce costs we think these changes are needed.

We are however opposed to shifting the total cost of paying for investigators from licensing fees to general funds. In a time of billion dollar budget shortfalls it does not make sense to increase the cost to the general fund by 1.7 million. This bill effectively reduces the income coming into the State by 1.7 million.

We understand that smaller Boards have difficulty covering expensive investigations because of their small licensee base. We would suggest that a cheaper alternative would be to create a fund to help pay for expensive investigations. For instance, a fund could be set up to pay for investigations that cost over \$10,000. There are fewer investigations that have a large cost so this approach should be much cheaper to the State.

From a historical perspective, the decision to have licensee fees pay for the costs of Boards was made during a time of diminishing state revenues. We do not think that over the next several years the Division is going to want to be reliant on a diminishing source of general fund revenues when they could have had a more steady income source with licensee fees. If the Division can't get enough general funds to pay for their investigators how are they going to prioritize investigations?

**Testimony of the Alaska Nurses Association
HB 187**

There is also some concern about what the Division means by licensing groups. Within the Board of Nursing there are three many groups of licensees, each which has a different license fee. These fees are based in part on the income levels of that particular group of licensees. For instance, the license fees for RNs are higher than those for Nurse Aids. We do not want to see all the Board of Nursing licensees lumped into one group.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 187
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB187-DCCED-CBPL-01-21-2014
Title: OCCUPATIONAL LICENSING FEES
Sponsor: LABOR & COMMERCE
Requester: House Finance

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund	1,884.8		1,884.8	1,884.8	1,884.8	1,884.8	1,884.8
1005 GF/Prgm	(20.7)		(20.7)	(20.7)	(20.7)	(20.7)	(20.7)
1156 Rcpt Svcs	(1,864.1)		(1,864.1)	(1,864.1)	(1,864.1)	(1,864.1)	(1,864.1)
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0

Estimated CAPITAL (FY2015) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/15

Why this fiscal note differs from previous version:

Updated for second session to accurately reflect FY2015 and out year costs and to update the year in which regulations will be adopted.

Prepared By: <u>Don Habeger, Director</u>	Phone: <u>(907)465-2536</u>
Division: <u>Corporations, Business and Professional Licensing</u>	Date: <u>01/08/2014 02:20 PM</u>
Approved By: <u>Jeanne Mungle, Director</u>	Date: <u>01/08/14</u>
Agency: <u>Administrative Services</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB 187

Analysis

HB 187 modifies how the Department of Commerce, Community, and Economic Development may establish licensing fees for professional licensing programs under Title 8. This bill allows for the consolidation of program fees, averaging program revenues and expenses over multiple biennial licensing cycles, and for appropriated funding sources to be used in determining whether the total amount of fees approximately equal the actual regulatory costs for a licensing group.

Consumer protection benefits all Alaskans. This fiscal note provides for a sharing of enforcement costs to protect the licensees and the public. In FY2012, the Department spent \$2,566.3 for licensing enforcement. The Department proposes investigator personal services costs of \$1,884.8 be covered by general fund. The Division programs will continue to pay for legal, expert witness, and hearing and mediation costs associated with investigative activity.

Regulations are required to implement the licensing fee changes by January 1, 2015.



ALASKA STATE LEGISLATURE

HOUSE LABOR & COMMERCE COMMITTEE

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Sectional Analysis

HB 187

The following is a sectional summary of HB 187 and is not an authoritative representation of the bill. For an authoritative interpretation, please refer to the bill itself.

Section 1: AS 08.01.050 Administrative Duties of the Department – is amended to reflect the new establishment of fees under AS 08.01.065.

Section 2: AS 08.01.063(a) Military Courtesy Licenses – is amended to reflect the new establishment of fees under AS 08.01.065.

Section 3: AS 08.01.065(a) Establishment of Fees – is amended by removing specific fees set out by statute, thus giving the department the ability to consolidate fee types.

Section 4: AS 08.01.065(c) Establishment of Fees – is repealed and reenacted to allow the department (1) the ability to establish fee levels using fees collected for a licensing group plus appropriations, (2) to average licensing group's revenues and expenditures for current and prior licensing cycles for establishing fee levels, (3) to reduce a calculated fee if that fee would be significantly higher than the current fee, (4) to recover any costs that may result from a reduced fee over future licensing periods, (5) to post information on the department's website regarding fee reductions, (6) to consider recommendations by the boards prior to revising fees, and (7) defines "regulatory costs."

Section 5: AS 08.01.065(h) Establishment of Fees – is amended to reflect the removal of specific fees set out in statute and enable the new establishment of fees as defined in section 4.

Section 6: AS 08.01.075(e) Disciplinary Powers of Boards – is amended to reference the new establishment of fees under AS 08.01.065.

Section 7: AS 08.01.110 Definitions – is amended by adding a new definition of "licensing group" that encompasses all the license types regulated by a board, commission, or department under a chapter or chapters of Title 8.

Section 8: AS 08.04.420(c) Accountants, Practice Privileges – is amended to reflect that an individual who is licensed in another state to practice public accounting does not have to pay a fee to the

department provided they meet the conditions set out under AS 08.04.420(a) and (b). Prior language referenced the public accountancy board, but the board is not able to collect fees.

Section 9: AS 08.04.421(a) Accountants, Out of State Permits and Exemptions – is amended to reflect that a legal entity that does not have an office in the state must pay a fee required by the department for an out-of-state permit. Prior language referenced the fee was required by the public accountancy board, but it is the department that sets fees under AS 08.01.065.

Section 10: AS 08.04.421(f) Accountants, Out of State Permits and Exemptions – is amended to reflect that a legal entity with an out-of-state exemption does not have to pay a fee to the department. Prior language referenced the public accountancy board, but the board is not able to collect fees.

Section 11: AS 08.11.010 Audiologists and Speech-language Pathologists, Qualifications for Audiologist License – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 12: AS 08.11.015 Audiologists and Speech-language Pathologists, Qualifications for Speech-language Pathologist License – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 13: AS 08.11.030(c) Audiologists and Speech-language Pathologists, Reinstatement of Lapsed License or Registration; Renewal of Suspended License or Registration – is amended to reference the new establishment of fees as defined under AS 08.01.065 and any delayed renewal fees under AS 08.01.100(b).

Section 14: AS 08.11.040(b) Audiologists and Speech-language Pathologists, Display of License – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 15: AS 08.13.100(e) Barbers and Hairdressers, License – is amended to remove the reference to different types of fees as outlined under AS 08.01.065.

Section 16: AS 08.13.175 Barbers and Hairdressers, Temporary License – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 17: AS 08.18.025(c) Construction Contractors and Home Inspectors, Residential contractors – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 18: AS 08.24.140(a) Collection Agencies, Fee, bond, and other material – is amended to reference the new establishment of fees as defined under AS 08.01.065 and renumbered accordingly.

Section 19: AS 08.24.370 Collection Agencies, Nonresidents – is amended to remove the reference to different types of fees as outlined under AS 08.01.065.

Section 20: AS 08.32.081 Dental Hygienists and Assistants, Lapse and reinstatement of license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 21: AS 08.42.085(c) Morticians, Qualifications for trainees – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 22: AS 08.54.610(a) Big Game Guides and Related Occupations, Registered guide-outfitter license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 23: AS 08.54.610(b) Big Game Guides and Related Occupations, Master guide-outfitter license – is amended to remove the reference to different types of fees as outlined under AS 08.01.065.

Section 24: AS 08.54.640(b) Big Game Guides and Related Occupations, Law enforcement officers and game biologists – is amended to remove the reference to different types of fees as defined under AS 08.01.065.

Section 25: AS 08.55.010(c) Hearing Aid Dealers, Qualifications for license – is amended to remove the reference to different types of fees as defined under AS 08.01.065.

Section 26: AS 08.55.020(b) Hearing Aid Dealers, Renewal of license – is amended to remove the reference to different types of fees as defined under AS 08.01.065.

Section 27: AS 08.62.040(a) Marine Pilots, Powers, duties, and limitations – is amended to by changing the word “assure” to “ensure” and to remove the reference to different types of fees as defined under AS 08.01.065.

Section 28: AS 08.65.050 Direct-Entry Midwives, Qualifications for license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 29: AS 08.68.100(a) Nursing, Duties and powers of board – is amended by removing reference to 08.68.336 – Fees which is repealed under this bill to reflect the new fee structure set out under AS 08.01.065.

Section 30: AS 08.68.251 Nursing, Lapsed licenses – is amended to reference the new establishment of fees as defined under AS 08.01.065 and delayed renewal fees under AS 08.01.100(b).

Section 31: AS 08.71.110(a) Dispensing Opticians, Qualification for licensure – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 32: AS 08.72.150 Optometrists, Application for examination and issuance of license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 33: AS 08.72.181(b) Optometrists, Renewal of License – is amended to remove the reference to different types of fees as defined under AS 08.01.065.

Section 34: AS 08.76.140(b) Pawnbrokers and Secondhand Dealers, Duration and renewal of license – is amended by removing language that establishes certain fees for the pawnbroker as this is now defined under AS 08.01.065.

Section 35: AS 08.76.140(c) Pawnbrokers and Secondhand Dealers, Duration and renewal of license – is amended by removing a dollar amount for renewal penalty as this is defined under AS 08.01.065.

Section 36: AS 08.84.032 Physical Therapists and Occupational Therapists, Foreign-trained applicants – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 37: AS 08.84.075(a) Physical Therapists and Occupational Therapists, Limited permit – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 38: AS 08.84.075(b) Physical Therapists and Occupational Therapists, Limited permit – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 39: AS 08.86.150(a) Psychologists and Psychological Associates, License by credentials – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 40: AS 08.88.091(e) Real Estate Brokers and Other Licensees, Education of applicants and licensees – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 41: AS 08.88.241(a) Real Estate Brokers and Other Licensees, Reinstatement of lapsed license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 42: AS 08.95.125(a) Social Workers, Temporary license to practice social work – is amended to remove the reference to different types of fees as outlined under AS 08.01.065.

Section 43: AS 08.98.180 Veterinarians, Temporary license – is amended to reference the new establishment of fees as defined under AS 08.01.065.

Section 44: 32 chapters are repealed by this Act. These repealed sections all deal with how the department or board would establish fees and what fees they would be able to collect. These are not necessary any longer because of the new language in section 2. A copy of the repealed statutes is attached.

Section 45: Uncodified law is amended to allow the department to adopt regulations immediately to implement this act. Regulations take effect immediately, but not before January 1, 2014.

Section 46: Uncodified law is amended for transitional language for current licensee holders that any fee changes will not take place until their current license would expire.

Section 47: Section 45 takes effective immediately.

Section 48: Provides for a January 1, 2014 effective date, except as provided by section 47.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Commerce, Community,
and Economic Development**

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.2550
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March 26, 2013

Dear Alaska Professional Licensing Boards and Commissions:

Many of you have shared concerns about the biennial changes to the amount of licensing fees required by present law. With that in mind, HB 187 has been introduced this legislative session to incorporate three different means to mitigate the occurrence of significant fee changes during the fee-setting process.

If passed, HB 187 will allow for a) fee collection to balance revenues with expenses over multiple biennial licensing cycles, b) consolidation of certain fee types within a given program to reduce handling costs, and c) annual appropriation of general funds to offset the cost of professional licensing investigation and enforcement actions to protect the public.

Under HB 187, annual review of revenues and expenses would continue, and Boards and Commissions would continue to make recommendations on rate changes. Further, the legislature would annually consider an appropriation from the general fund to fund only the personal services costs of those employees of the Department who perform the investigative function. Professional licensees would continue to self-fund all other costs via licensing fees.

The Department values your support and invites all licensees and members of professional licensing Boards and Commissions to comment on this newly introduced bill.

If you have questions or comments, please contact me at 465-2538 or don.habeger@alaska.gov, with a copy to Sara Chambers, Professional Licensing Administrative Operations Manager, at sara.chambers@alaska.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Habeger".

Don Habeger
Director



ALASKA STATE LEGISLATURE HOUSE LABOR & COMMERCE COMMITTEE

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Sponsor Statement HB 187

“An Act relating to professional and occupational licensing fees...”

Under current law, the Department of Commerce, Community, and Economic Development is required to analyze a professional licensing program's revenues and expenses each year and make adjustments to balance them. If a professional licensing program receives a single complaint and a complex investigation ensues, an enforcement action could exceed \$100,000. Recovering investigation costs of this magnitude during one licensing cycle (two years) causes significant changes in fees, especially in licensing programs with fewer licensees to share the burden of the cost.

House Bill 187 will allow for; a) fee collection to balance revenues with expenses over several licensing cycles; b) the consolidation of certain fee types within a given program to reduce handling costs, and c) the use of general funds to offset the costs of professional licensing investigation and enforcement actions to protect the public.

This bill provides the opportunity for a degree of customization of the fee to meet the unique needs of each profession. Board members will play an integral role in providing recommendations on how the costs of the licensing group are spread among its licensees, as well as the timeframe to recover those costs.

Currently, all licensees for a particular profession bear the entire cost of enforcement of that program's license violations. The bill proposes to fund the personnel costs for investigations through general funds instead of license fees, since license enforcement provides consumer protection for all Alaskans.

The Department will continue to work in partnership with boards, commissions, and the public when considering any fee changes. All fees are set through the state's public regulations process, with formal public notice, and licensees are always informed of how they can provide input at least 30 days in advance of a proposed fee change.

HB 187 also requires the Department to publish information regarding fee adjustments on its website. As provided by law, the Department makes the final fee-setting decision after careful consideration of board, licensee and public comments received.

HB 187
Statutes Repealed by Section 44

Sec. 08.01.065. Establishment of fees.

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

(b) *[Repealed, Sec. 4 ch 34 SLA 1992].*

(c) Except as provided in (f) - (i) of this section, the department shall establish fee levels under (a) of this section so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The department shall annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation. If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations under (a) of this section to implement the adjustments. In January of each year, the department shall report on all fee levels and revisions for the previous year under this subsection to the office of management and budget. If a board regulates an occupation covered by this chapter, the department shall consider the board's recommendations concerning the occupation's fee levels and regulatory costs before revising fee schedules to comply with this subsection. In this subsection, "regulatory costs" means costs of the department that are attributable to regulation of an occupation plus

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

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

(d) The license fee for a business license is set by AS 43.70.030(a). The department shall adopt regulations that establish the manner of payment of the license fee.

(e) *[Repealed, Sec. 28 ch 90 SLA 1991].*

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

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

(h) Notwithstanding (c) of this section, the department shall establish fee levels under (a) of this section so that the total amount of fees collected by the Board of Barbers and Hairdressers approximately equals the total regulatory costs of the department, the board, and the Department of

Environmental Conservation for all occupations regulated by the board. For purposes of this subsection, the regulatory costs of the Department of Environmental Conservation for the occupations regulated by the board include the cost of inspections under AS 08.13.210 (b), the cost of developing and adopting regulations under AS 44.46.020 for barbershop, hairdressing, manicuring, esthetics, body piercing, ear piercing, and tattooing and permanent cosmetic coloring establishments, and the cost to the Department of Environmental Conservation of enforcing those regulations except for the enforcement costs relating to ear piercing establishments. The department shall set the fee levels for the issuance and renewal of a practitioner's license issued under AS 08.13.100 so that the license and license renewal fees are the same for all occupations regulated by the Board of Barbers and Hairdressers.

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

Sec. 08.04.495. Fees.

The department shall set fees under AS 08.01.065 for examinations, reexaminations, permits, licenses, and practice privileges.

Sec. 08.11.050. Fees.

The department shall set fees under AS 08.01.065 for each of the following:

- (1) application;
- (2) credential review;
- (3) audiologist license and speech-language pathologist license;
- (4) temporary license;
- (5) renewal of license;
- (6) delinquency;
- (7) reinstatement;
- (8) duplicate license;
- (9) speech-language pathologist assistant registration application and renewal.

Sec. 08.13.185. Fees.

(a) The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for initial licenses, endorsements, and renewals for the following:

- (1) schools;
- (2) school owners;
- (3) instructor;
- (4) shop owner;
- (5) practitioner of barbering;
- (6) practitioner of hairdressing;
- (7) practitioner of manicuring;
- (8) practitioner of esthetics;

- (9) endorsement for advanced manicurist;
 - (10) practitioner of tattooing and permanent cosmetic coloring;
 - (11) practitioner of body piercing;
 - (12) temporary shop license;
 - (13) temporary permit;
 - (14) temporary license;
 - (15) student permit.
- (b) The department shall set fees under AS 08.01.065 for examination and investigation.

Sec. 08.18.041. Fees.

- (a) The department shall set fees under AS 08.01.065 for
- (1) registration and renewal of registration for all categories of contractors;
 - (2) registration and renewal of registration for a home inspector qualified to inspect new homes;
 - (3) registration and renewal of registration for a home inspector qualified to inspect existing homes;
 - (4) joint registration and renewal of joint registration for home inspectors;
 - (5) registration and renewal of registration as an associate home inspector;
 - (6) examinations for applicants for home inspector registration;
 - (7) examination, issuance of initial endorsement, and renewal of active or inactive endorsements for residential contractors; and
 - (8) departmental publications and seminars related to this chapter.

(b) A person who fails a residential contractor examination or home inspector examination shall pay the examination fee set by the department if the person applies to retake an examination.

Sec. 08.20.185. Peer review committee; confidentiality.

(a) In addition to peer review authorized under AS 08.01.075, the board may establish a peer review committee to review complaints concerning the reasonableness or appropriateness of care provided, fees charged, or costs for services rendered by a licensee to a patient. A review conducted by a peer review committee under this section may be utilized by the board in considering disciplinary action against a licensee but the results or recommendations of a peer review committee are not binding upon the board. A member of a peer review committee established under this section who in good faith submits a report under this section or participates in an investigation or judicial proceeding related to a report submitted under this section is immune from civil liability for the submission or participation.

(b) The board shall charge a complainant a fee, established under AS 08.01.065, for peer review under this section:

(c) Patient records presented to a peer review committee for review under this section that were confidential before their presentation to the committee are confidential to the committee members and to the board members and are not subject to inspection or copying under AS 40.25.110 - 40.25.125. A committee member or board member to whom confidential records are presented under this subsection shall maintain the confidentiality of the records. A person who violates this subsection is guilty of a class B misdemeanor.

Sec. 08.24.135. Fees.

The department shall set fees for licenses and applications under AS 08.01.065 and shall set delayed renewal penalties under AS 08.01.100.

Sec. 08.40.150. Fees.

Each applicant and each licensee shall pay application and renewal fees established by regulations adopted under AS 08.01.065.

Sec. 08.40.310. Fees.

Each applicant and each licensee shall pay application and renewal fees established under AS 08.01.065.

Sec. 08.48.265. Fees.

The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for examinations, registrations, certificates of authorization, and renewals of a certificate.

Sec. 08.54.770. License and examination fees.

(a) The department shall set fees under AS 08.01.065 for each of the following:

- (1) registered guide-outfitter license;
- (2) class-A assistant guide license;
- (3) assistant guide license;
- (4) transporter license;
- (5) retired status license;
- (6) license application fee.

(b) The license fee for the registered guide-outfitter, class-A assistant guide, or assistant guide license is in addition to the fee required for a hunting license issued by the Department of Fish and Game under AS 16.05.340.

(c) An applicant for a qualifying examination for a registered guide-outfitter license shall pay a fee established by regulations adopted under AS 08.01.065.

(d) The fee for the transporter license must be equal to the fee for the registered guide-outfitter license.

(e) The amount of the license fee for a nonresident shall be two times the amount of the license fee for a resident.

Sec. 08.55.040. Fees.

The department shall set fees under AS 08.01.065 for each of the following:

- (1) application;
- (2) hearing aid dealer license;
- (3) renewal of license;
- (4) renewal delinquency;
- (5) duplicate license.

Sec. 08.62.140. Fees.

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

(b) The fee for an application for an exemption under AS 08.62.180(b) from the mandatory pilotage requirement of this chapter is \$250 plus \$50 for each whole foot in overall length of the vessel that exceeds 65 feet.

Sec. 08.64.315. Fees.

The department shall set fees under AS 08.01.065 for each of the following:

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

Sec. 08.65.100. Fees.

The department shall set fees under AS 08.01.065 to implement this chapter.

Sec. 08.68.220. Fees.

The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for each of the following:

- (1) registered nursing:
 - (A) application;
 - (B) license by examination;
 - (C) license by endorsement;
 - (D) license renewal;
 - (E) temporary permit;
- (2) practical or vocational nursing:
 - (A) application;
 - (B) license by examination;
 - (C) license by endorsement;
 - (D) license renewal;
 - (E) temporary permit.

Sec. 08.68.336. Fees.

The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for certified nurse aides for each of the following:

- (1) application;
- (2) examination;
- (3) certification; and
- (4) renewal of certification.

Sec. 08.70.150. Fees.

The department shall set fees under AS 08.01.065 for examination and investigation of persons applying for a license, initial license, and license renewal.

Sec. 08.71.120. Fees.

The department shall set fees under AS 08.01.065 for initial license and license renewal.

Sec. 08.72.191. Fees.

The department shall set fees under AS 08.01.065 for the following:

- (1) examination;
 - (2) reexamination;
 - (3) licensure by credentials;
 - (4) license;
 - (5) renewal.
-

Sec. 08.80.160. Fees.

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

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

Sec. 08.84.050. Fees.

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

- (1) application;
 - (2) license by examination;
 - (3) license by acceptance of credentials;
 - (4) renewal;
 - (5) temporary permit;
 - (6) limited permit.
-

Sec. 08.86.140. Fees.

(a) The department shall set fees under AS 08.01.065 for the following:

- (1) application;
- (2) examination;
- (3) credential review;
- (4) initial license;
- (5) license renewal.

(b) *[Repealed, Sec. 49 ch 94 SLA 1987].*

Sec. 08.88.221. Fees.

The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for a real estate broker, associate broker, or salesperson licensee or applicant for the following:

- (1) examination;
- (2) initial license;
- (3) renewal of an active license;
- (4) renewal of an inactive license;
- (5) amending or transferring a license;
- (6) publications offered by the commission;
- (7) seminars offered by the commission;
- (8) reinstatement of a lapsed license;
- (9) changes to registered office information;
- (10) course certification and recertification;
- (11) instructor approval and renewal of approval; and
- (12) issuance of a new license document under AS 08.88.095 (d).

Sec. 08.92.020. Fees.

(a) An applicant for a promoter's certificate of registration shall pay an original registration fee established by regulations adopted under AS 08.01.065.

(b) The fee for the renewal of a registration certificate is also established by regulations adopted under AS 08.01.065.

Sec. 08.98.190. Fees.

The department shall set fees under AS 08.01.065 for the following:

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



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The Honorable Kurt Olson, Chair
House Labor and Commerce Committee
Room 24
State Capitol Building
Juneau, Alaska 99801

April 1, 2013

RE: House Bill 187 Occupational Licensing Fees

Dear Representative Olson:

The Alaska Association of Realtors (AAR) has not had the opportunity to fully review House Bill 187 with our policy committee as the bill was just recently introduced. However, we very much appreciate the House Labor and Commerce Committee and the Department of Commerce, Community and Economic Development addressing the problem of licensing fees.

HB 187 appears to address the assignment of investigation costs that have historically been allocated to individual boards. AAR believes that the enforcement action against all professional licensees is truly a public benefit. Further, it allows the leveling out of fees over time rather than raising and lowering them each licensing period dependent on the uneven nature of investigations and the occasional "outlier" that would cause dramatic swings in licensing fees.

The bill contains language encouraging greater collaboration between the various boards and the Division of Corporations, Business and Professional Licensing. We as licensees of the Alaska Real Estate Commission (AREC) want to be sure that the AREC has the ability to perform both its regulatory and educational functions. We also want to be sure that the AREC has the ability to perform its fiduciary responsibility relative to the use of fees paid by its licensees.

We have not been able to engage in discussions with members of the AREC to gain their view of HB 187. We have had a meeting with the Division Director and appreciate the opportunity to begin to understand the intent of HB 187. It appears that the intent is positive and might well be helpful, yet we do need to fully review the language and its potential for unintended consequences.

While we reserve the right to continue to review HB 187 to assure that we fully understand all its ramifications, we believe that it is a positive step in addressing many important issues affecting licensees of the AREC. AAR would have no objection to the Labor and Commerce Committee moving this bill.

Sincerely,

A handwritten signature in cursive script that reads "Dave Somers".

Dave Somers
Chair, Industry Issues Committee

