

LEG. FINANCE - BILLS 1985 - 1986 2322

HB 72 cont. - HB 78 2322

(23) subparagraph (A) has been reworded and (B) is new;  
(AS 29.78.010(16))

(24) this has been added; and

(25) a person qualified to vote in municipal elections  
under the applicable statute is a "voter".  
(AS 29.78.010(17))

The definition of "conditional use" has been eliminated.  
(AS 29.78.010(3))

\* Sec. 18. A definition of "municipality" is added for all  
Alaska Statutes.

\* Sec. 19. The statutory references are altered to reflect  
new numbering.

\* Sec. 20. The statutory references are altered to reflect  
new numbering.

\* Sec. 21. Incorporates definition of "municipality" added  
for all Alaska Statutes.

\* Sec. 22. The statutory references are altered to reflect  
new numbering. Minor rewording.

\* Sec. 23. Statutory references are altered to reflect new  
numbering.

\* Sec. 24. Reworded to delete incorrect statutory refer-  
ences.

\* Sec. 25. Reorganized. Statutory references are altered  
to reflect new numbering.

\* Sec. 26. Minor rewording. The statutory references are  
altered to reflect new numbering.

\* Sec. 27. The statutory references are altered to reflect  
new numbering.

\* Sec. 28. Minor rewording. The statutory references are  
altered to reflect new numbering.

\* Sec. 29. Minor rewording. The statutory references are  
altered to reflect new numbering.

\* Sec. 30. The statutory references are altered to reflect new numbering.

\* Sec. 31. The statutory references are altered to reflect new numbering.

\* Sec. 32. The statutory references are altered to reflect new numbering.

\* Sec. 33. The statutory references are altered to reflect new numbering.

\* Sec. 34. Minor rewording. The statutory references are altered to reflect new numbering.

\* Sec. 35. The statutory references are altered to reflect new numbering.

\* Sec. 36. Minor rewording. The statutory references are altered to reflect new numbering.

\* Sec. 37. The statutory references are altered to reflect new numbering.

\* Sec. 38. Minor rewording. The statutory references are altered to reflect new numbering.

\* Sec. 39. Minor rewording for consistency.

\* Sec. 40. Redundant language is deleted because "municipality" is defined for all statutes.

\* Sec. 41. Minor rewording and statutory references are altered.

\* Sec. 42. The statutory references are altered to reflect new numbering.

\* Sec. 43. Minor rewording. Incorrect statutory references are deleted.

\* Sec. 44. Minor rewording. Incorrect statutory references are deleted.

\* Sec. 45. Minor rewording. The statutory references are altered to reflect new numbering.

- \* Sec. 46. The statutory references are altered.
- \* Sec. 47. The statutory reference is deleted as unnecessary.
- \* Sec. 48. Minor rewording. The statutory references are altered to reflect new numbering.
- \* Sec. 49. The statutory references are deleted as unnecessary.
- \* Sec. 50. The statutory references are deleted as unnecessary.
- \* Sec. 51. The statutory reference is altered to reflect new numbering.
- \* Sec. 52. The statutory references are altered to reflect new numbering. "Former" is added before citations to sections repealed in this bill.
- \* Sec. 53. The statutory references are altered to reflect new numbering. "Former" is added before citations to sections repealed in this bill.
- \* Sec. 54. The word "former" is added before the statutory citation because those sections are repealed in this bill.
- \* Sec. 55. "Former" is added before citations to sections previously repealed in this bill.
- \* Sec. 56. Minor rewording. The statutory reference is altered to reflect new numbering.
- \* Sec. 57. Minor rewording. The statutory references are altered to reflect new numbering.
- \* Sec. 58. The statutory reference is deleted as unnecessary.
- \* Sec. 59. The statutory references are altered to reflect new numbering.
- \* Sec. 60. The statutory references are altered.
- \* Sec. 61. The statutory references are altered to reflect new numbering.

\* Sec. 62. The statutory references are altered to reflect new numbering. Minor rewording,

\* Sec. 63. The statutory references are altered to reflect new numbering.

\* Sec. 64. The statutory references are altered to reflect new numbering.

\* Sec. 65. The statutory references are altered to reflect new numbering.

\* Sec. 66. The statutory references are altered to reflect new numbering. "Former" is added before sections repealed in this bill.

\* Sec. 67. Statutory references are altered.

\* Sec. 68. The statutory references are deleted as unnecessary.

\* Sec. 69. Statutory references are altered.

\* Sec. 70. Adds new sections dealing with borough feasibility studies. Authorizes the commissioner of community and regional affairs to contract for a study requested by a person residing in the area to be studied. Sets out requirements for the contract and what a study must include.

\* Sec. 71. The statutory reference is altered to reflect new numbering.

\* Sec. 72. The statutory reference is altered to reflect new numbering.

\* Sec. 73. The statutory reference is altered to reflect new numbering.

\* Sec. 74. The new statutory reference is inserted and "former" added before the citation to a section repealed by this bill.

\* Sec. 75. The new statutory references are inserted and "former" added before citations to sections repealed by this bill.

\* Sec. 76. The statutory references are altered to reflect new numbering.

\* Sec. 77. The statutory reference to a repealed section is deleted and language inserted to take the place of the deleted reference.

\* Sec. 78. The statutory references are altered to reflect new numbering.

\* Sec. 79. The statutory references are deleted as unnecessary.

\* Sec. 80. The statutory references are altered to reflect new numbering.

\* Sec. 81. The statutory references are deleted as unnecessary.

\* Sec. 82. The statutory references are altered to reflect new numbering.

\* Sec. 83. All of Title 29 is repealed except for AS 29.03.010 and AS 29.03.020. Additional provisions are repealed to reconcile this bill with other titles.

\* Sec. 84. A right or liability of a municipality in existence on the effective date of this Act is not affected by this Act. Ordinances and regulations in effect on the effective date of this Act remain in effect unless they conflict with a provision of this Act. If an ordinance or regulation conflicts, it remains in effect for 180 days. The terms of elected or appointed municipal officials are not affected by the Act and their terms expire as they would have before the effective date of this Act.

\* Sec. 85. The Act takes effect January 1, 1986.

In addition to the material already noted as having been deleted from this bill, the following sections have been eliminated entirely:

- AS 29.18.202 (determination of entitlement for cities);
- AS 29.18.220 - 29.18.460 (development cities);
- AS 29.18.510 - 29.18.610 (Capital City Incorporation Act);
- AS 29.23.395 - 29.23.401 (involvement of young people in local government);
- AS 29.23.470 (appointment of temporary or new manager);
- AS 29.28.220 (election procedure);
- AS 29.33.120 (adjustment procedure);
- AS 29.43.100 - 29.43.110 (curfews)
- AS 29.45.480 (proceeds of tax sale);
- AS 29.48.070 (hearing for regulation of utilities rates);
- AS 29.48.080 (right to participate and compel testimony);
- AS 29.48.090 (further proceedings);
- AS 29.48.100 (application);
- AS 29.48.250 (centralized purchasing);
- AS 29.53.030 (mining claims);
- AS 29.58.220 (payment);
- AS 29.58.315 (bond attorneys, bond and financial consultants);
- AS 29.58.345 (bonded indebtedness for school construction);
- AS 29.58.350 (bond guarantee fund).

TBC:ojb  
AS29/003



# Alaska State Legislature

## House of Representatives

### Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4833

LETTER OF INTENT  
to  
CSHB 72 (C&RA)

It is not the intent of the House Community and Regional Affairs Committee in adopting AS 29.53.045 as the renumbered section 29.45.080 in CSHB 72 (C&RA) to alter the substance or effect of that provision.

Peter Goll  
Chairman

*Peter Goll*

*Robert E. Jeff*

*Wesley H. ...*

*Phil ...*

*John ...*

\_\_\_\_\_

\_\_\_\_\_

Changes made in SB 72 (C+RA)

# Alaska State Legislature

## Senate



Official Business

## Committee on Community and Regional Affairs

Senator Edna DeVries, Chairman

Members:

Senator Ferguson, Vice Chairman

Senator Coghill

Senator Sturgulewski

Senator V. Fischer

Pouch V

Juneau, Alaska 99811

March 6, 1985

To: Senator Coghill  
Senator Ferguson  
Senator Vic Fischer  
Senator Sturgulewski

From: Senator Edna DeVries, Chair  
Community & Regional Affairs

Subj: House C&RA amendments to Title 29 revision

Attached are the amendments to HB 72 (SB 142) which have been passed by the Committee on Community and Regional Affairs in the House. The amendments are organized thusly: a copy of the explanation of the amendment by Tam Cook (where such explanation was forwarded on to us); a copy of the amendment; and a copy of the pages of the bill affected with the House changes noted on them.

Follows is a summary of the House amendments:

Amend #1 Date changes. These date changes are necessary because the effective date of the bill is now  
Technical January 1, 1986; and the changed dates relate to the effective date of the legislation. Changes on pages 10, 11, 12, and 33.

Amend #2 Language stating that general grant land entitlements to municipalities  
Technical under former provisions of Title 29 are simply being continued; and that new entitlements are not being established. There was some question by Legal that the repeal of former provisions and the different section numbers applied to these same provisions in the new bill might create a legal cloud as to whether existing municipalities would be eligible for new general grant land entitlements. Changes on pages 171, 172, 173, and 176.

Amend #3 Incorporates legislation passed in 1984 that includes subject matter also  
Technical dealt with in SB 142. Changes on pages 79, 97, 112, 114, 172, 173, 174, 175, 176, 177, 180, 181, 182, 183, 186, 192, 199, and 206.

Amend #4 Replaces Chap 10 of SB 142 so that it incorporates language as it appeared  
Substantive in last Session's bill (CSHB 172-Fin). Authority to adopt home rule charter expanded to include 2nd class cities with populations of 600 or more, and third class boroughs. Page 28 through 31, line 4, deleted and replaced with new language.

- Amend #5  
Substantive Incorporates language submitted by the Dept of C&RA. Changes the definition of "Health Facility" as it relates to eligibility for grants. Defines "health facility" as a facility approved under Dept C&RA regulations, specifically including domestic violence/sexual assault shelters, alcohol/drug abuse facilities. Changes on page 161.
- Amend #6 Adds an anti discrimination clause for employment purposes under "Prohibitions". Changes on page 53.
- Amend #7 Clarification of class B misdemeanor. Grammar/style changes. Changes on pages 58, 96, 116, and 117.
- Amend #8  
Substantive Time for securing signatures on initiative/referendum petitions changed from 60 days to 90 days. Changes on page 63.
- Amend #9  
Technical Grammar/style changes. Changes on pages 64 and 69.
- Amend #10  
Substantive Grammar/style changes. Changes the time that must elapse prior to alteration of measures brought to vote by initiative or referendum from one year to two years. Changes on Page 66.
- Amend #11  
Substantive Second class city may exercise power of eminent domain/declaration of taking upon approval of ordinance submitted for public vote. Changes on page 73.
- Amend #12  
Substantive Notice of judgment of foreclosure to mortgage/lien holders of record when assessed value of property is more than \$10,000. Law presently reads ---more than "\$20,000". Change on page 127.

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

4/17/85

Date 5/7/85

Mr. President

The Committee on FINANCE considered CSHB74 (SA) am

participation of certain former BLS employees in the Teachers' Retirement System.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

\_\_\_\_\_  
*Paul H. ...*  
\_\_\_\_\_  
*John ...*  
\_\_\_\_\_  
*John ...*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**MEMBERS HAVING  
OTHER RECOMMENDATIONS**

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*...*  
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\_\_\_\_\_  
**Chairman**

\_\_\_\_\_  
**Chairman recommendation**

Offered: 2/8/85  
Referred: Health, Education &  
Social Services and Finance

Original sponsors: Gruenberg, Taylor,  
Grussendorf and Binkley

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR HOUSE BILL NO. 74 (State Affairs) am  
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 participation of certain former  
7 BIA employees in the Teachers' Retirement System."

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

9 \* Section 1. AS 14.25.220(8) is amended to read:

10 (8) "BIA service" means service, including partial years,  
11 as a teacher, a certificated person employed in a full-time position  
12 requiring a teaching certificate as a condition of employment, or a  
13 Bureau of Indian Affairs professional educator in a school or school  
14 system operated by the Bureau of Indian Affairs in Alaska;

15 \* Sec. 2. A member qualified under amendments made by sec. 1 of this  
16 Act may claim prior service if the member pays the arrearage indebtedness  
17 in accordance with AS 14.25.060.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_ Page 1 of 2

REQUEST (State) FISCAL DETAIL  
 Bill/Resolution No.: C5HB 74 Affairs Agency Affected: Department of Education  
 Title: "...Participation of Former Professional Educators..." Program Category Affected: TRS  
 Sponsor: Gruenberg BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
 Requestor: Hurley \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Ptmnt & Bnfts		12.4	13.4	14.5	15.6	16.9
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		72.2	78.0	84.2	91.0	98.2
TOTAL OPERATING	-0-	84.6	91.4	98.7	106.6	115.1
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		84.6	91.4	98.7	106.6	115.1
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	84.6	91.4	98.7	106.6	115.1

POSITIONS:	-0-	-0-	-0-	-0-	-0-	-0-
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470  
 Division: Retirement & Benefits Date: 2/11/85  
 Approved by Commissioner: Lisa Rudd Date: 2-15-85  
 Agency: Department of Administration

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

Offered: 2/8/85  
Referred: Health, Education &  
Social Services and Finance

Original sponsors: Gruenberg, Taylor,  
Grussendorf and Binkley

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE, - FIRST SESSION  
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12 requiring a teaching certificate as a condition of employment, or a  
13 Bureau of Indian Affairs professional educator in a school or school  
14 system operated by the Bureau of Indian Affairs in Alaska;  
15 \* Sec. 2. A member qualified under amendments made by sec. 1 of this  
16 Act may claim prior service if the member pays the arrearage indebtedness  
17 in accordance with AS 14.25.060.

A/B

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_ Page 1 of 2

REQUEST (State) FISCAL DETAIL  
 Bill/Resolution No.: CSHB 74 Affairs) Agency Affected: Department of Education  
 Title: "...Participation of Former Professional Educators..." Program Category Affected: TRS  
 Sponsor: Gruenberg BRU, Program or Subprogram(s) Affected:  
 Requestor: Hurley  
 Date of Request: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Rtmnt & Bnfts		12.4	13.4	14.5	15.6	16.9
200 Travel						
300 Contractual						
400 Supplies						
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600 Land & Struct						
700 Grants, Claims						
700 TRS Match		72.2	78.0	84.2	91.0	98.2
TOTAL OPERATING	-0-	84.6	91.4	98.7	106.6	115.1

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		84.6	91.4	98.7	106.6	115.1
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	84.6	91.4	98.7	106.6	115.1

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470  
 Division: Retirement & Benefits Date: 2/11/85

Approved by Commissioner: Lisa Rudd Date: 2-15-85  
 Agency: Department of Administration

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

CS for House Bill 74 (State Affairs)  
Fiscal Note Analysis  
Prepared by Division of Retirement & Benefits  
Department of Administration

February 11, 1985

Analysis:

Passage of this bill would allow those former BIA employees acting in the capacity of a BIA professional educator to claim that service in the Teachers' Retirement System (TRS) establishing a date, January 1, 1986, for interest to accumulate on any unpaid balance. The BIA administrative office has advised us that this would involve approximately 20 people having an average of 6½ years of qualified service.

This bill would result in an estimated .0347% increase in the TRS Employer contribution rate. The FY 86 TRS State Match estimated payroll is \$416,297,654.00.

The State cost of \$84.6 is calculated as follows:

one half of the change in TRS contribution rate [(.0347% divided by 2) = .01735%] times the estimated FY 86 State TRS salaries (\$71,490,744.00) equaling	\$12,400.00
plus one half of the change in TRS contribution rate (.01735%) times the estimated FY 86 State Match Payroll (\$416,297,654.00) (equaling \$72,200.00).	<u>\$72,200.00</u>
	<u>\$84,600.00</u>

The estimated costs to school districts are as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$59.8	\$64.6	\$70.8	\$76.5	\$82.6

The present value of the cost of this bill is \$1,300,000.00; this would produce a .15% decrease in the TRS funding ratio.

COMMITTEE REPORT  
SENATE

FURTHER:

FINANCE

4/4/85

Date

4-16-85

Mr. President

The Committee on HESS considered CSHB 74(SA) am  
participation of certain former BIA employees in the Teachers' Retirement  
System.

and (a majority of the committee) (the committee) reports it back with  
the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

*Edna G. King*  
\_\_\_\_\_  
*Joe Rosen*  
\_\_\_\_\_  
*Arthur Sturgis*  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

*Dutton Johnson*  
Chairman  
*Do Pass*  
Chairman recommendation



Offered: 2/8/85  
Referred: Health, Education &  
Social Services and Finance

Original sponsors: Gruenberg, Taylor,  
Grussendorf and Binkley

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 74 (State Affairs)

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 participation of certain former  
7 BIA employees in the Teachers' Retirement System."

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

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12 requiring a teaching certificate as a condition of employment, or a  
13 Bureau of Indian Affairs professional educator in a school or school  
14 system operated by the Bureau of Indian Affairs in Alaska;

15 \* Sec. 2. A member qualified under amendments made by sec. 1 of this  
16 Act may claim prior service if the member pays the arrearage indebtedness  
17 in accordance with AS 14.25.060. Notwithstanding AS 14.25.060, interest on  
18 the indebtedness does not begin to accrue until January 1, 1986.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

Page 1 of 2

REQUEST (State) FISCAL DETAIL  
 Bill/Resolution No.: CSHB:74 Affairs Agency Affected: Department of Education  
 Title: "...Participation of Former Professional Educators..." Program Category Affected: TRS  
 Sponsor: Gruenberg BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
 Requestor: Hurley \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
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FEDERAL FUNDS						
OTHER						
TOTAL	-0-	84.6	91.4	98.7	106.6	115.1

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys Director Phone: 465-4470  
 Division: Retirement & Benefits Date: 2/11/85  
 Approved by Commissioner: Lisa Rudd Date: 2-15-85  
 Agency: Department of Administration

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

CS for House Bill 74 (State Affairs)  
Fiscal Note Analysis  
Prepared by Division of Retirement & Benefits  
Department of Administration

February 11, 1985

Analysis:

Passage of this bill would allow those former BIA employees acting in the capacity of a BIA professional educator to claim that service in the Teachers' Retirement System (TRS) establishing a date, January 1, 1986, for interest to accumulate on any unpaid balance. The BIA administrative office has advised us that this would involve approximately 20 people having an average of 6½ years of qualified service.

This bill would result in an estimated .0347% increase in the TRS Employer contribution rate. The FY 86 TRS State Match estimated payroll is \$416,297,654.00.

The State cost of \$84.6 is calculated as follows:

one half of the change in TRS contribution rate [(.0347% divided by 2) = .01735%] times the estimated FY 86 State TRS salaries (\$71,490,744.00) equaling	\$12,400.00
plus one half of the change in TRS contribution rate (.01735%) times the estimated FY 86 State Match Payroll (\$416,297,654.00) (equaling \$72,200.00).	<u>\$72,200.00</u>
	<u>\$84,600.00</u>

The estimated costs to school districts are as follows:

FY 86	FY 87	FY 88	FY 89	FY 90
\$59.8	\$64.6	\$70.8	\$76.5	\$82.6

The present value of the cost of this bill is \$1,300,000.00; this would produce a .15% decrease in the TRS funding ratio.

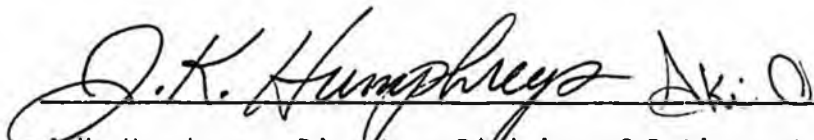
Position Paper

CS House Bill 74 (State Affairs) am

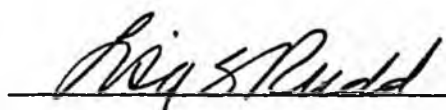
Passage of this bill would allow any former Bureau of Indian Affairs employee who was performing in the capacity of a BIA professional educator to claim that service in the Teachers' Retirement System (TRS). An indebtedness would be established for that service in accordance with AS 14.25.060 (Arrearage Indebtedness).

This bill would provide parity between BIA teachers and other certificated BIA professional educators who are treated the same in all other areas in the TRS system. To allow former BIA employees to claim this type of service will allow those employees who served in Alaska credit for the same type of service as those who served with the BIA outside the state. Granting TRS coverage for professional education service is consistent with the treatment of membership service in the state as well as for outside service.

The Department feels that it is equitable to remove this anomaly from the TRS system and supports this bill.

  
\_\_\_\_\_  
J.K. Humphreys, Director, Division of Retirement & Benefits

4/26/85  
Date

  
\_\_\_\_\_  
Lisa Rudd, Commissioner, Department of Administration

4/29/85  
Date

SECTIONAL ANALYSIS FOR CSHB 74 - AN ACT RELATING TO PARTICIPATION OF CERTAIN FORMER BIA EMPLOYEES IN THE TEACHERS' RETIREMENT SYSTEM.

- SECTION 1        Adds former BIA Administrative personnel to the Teachers' Retirement System.
- SECTION 2        Provides that former BIA Administrators added to TRS in section 1 may claim prior service if payments for arrearages are paid.

COMMENTARY

When the TRS statute was amended by the Legislature in 1983 to allow former BIA employees to buy into the system, the definition of BIA service limited those employees to teachers only. The Division of Retirement and Benefits have followed this statute and has not allowed BIA administrators to buy into TRS. This bill was introduced on the basis of equity, as all other school administrators are included in the program (even outside service as an administrator can be claimed), and it seemed that the exclusion may have been unintentional.

Lower

Bethel, Alaska 99559  
December 26, 1984

The Honorable Max Gruenberg  
Alaska House of Representatives  
Co-Chairman of the House, Health, Education and Social Services  
Committee  
Pouch V  
Juneau, Alaska 99801

Dear Mr. Gruenberg:

I have spent eight years teaching and six years administratin for the Bureau of Indian Affairs in Alaska. I have just discovered that the six years I spent administrating schools that serve Alaska students can not be transferred to the State Teacher Retirement System (TRS). This is due to an apparent oversight on the part of the statute writers for the TRS. Under the definition of "outside service" (14.25.220(25)) (copy enclosed) years not only taught in the Lower 48 may be brought into TRS but also years spent as a ~~certificated person in a full-time position requiring a teaching certificate as a condition of employment~~... In other words any certificated principal, vice-principal, or superintendent from the Lower 48 may bring a certain number of those years into TRS with him. In the same statutes (14.25.220(8)) (copy enclosed) the definition for "BIA Service" is service as a teacher in a school operated by the Bureau of Indian Affairs. Nothing is mentioned about administrative service being counted for TRS purposes. The State then will allow someone who was an administrator in Miami, D.A. or any other place Outside to bring in those years and not an administrator who has been serving rural Alaskan students. It seems reasonable that the definition for "BIA Service" should also include years spent as a ~~certificated administrator serving Alaskan students through the Bureau of Indian Affairs.~~

Any help you can give in getting the definition for "BIA Service" changed to include administrative time would be greatly appreciated.

Steve Ronnekamp  
Box 1247  
Bethel, Alaska 99559  
543-2748 wk.

CC J.K. Humphreys, Director Alaska Teachers' Retirement System

Offered: 2/8/85  
Referred: Health, Education &  
Social Services and Finance

Original sponsors: Gruenberg, Taylor,  
Grussendorf and Binkley

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR HOUSE BILL NO. 74 (State Affairs)  
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 participation of certain former  
7 BIA employees in the Teachers' Retirement System."

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

9 \* Section 1. AS 14.25.220(8) is amended to read:

10 (8) "BIA service" means service, including partial years,  
11 as a teacher, a certificated person employed in a full-time position  
12 requiring a teaching certificate as a condition of employment, or a  
13 Bureau of Indian Affairs professional educator in a school or school  
14 system operated by the Bureau of Indian Affairs in Alaska;

15 \* Sec. 2. A member qualified under amendments made by sec. 1 of this  
16 Act may claim prior service if the member pays the arrearage indebtedness  
17 in accordance with AS 14.25.060. Notwithstanding AS 14.25.060, interest on  
18 the indebtedness does not begin to accrue until January 1, 1986.

Introduced: 1/18/85  
Referred: State Affairs, Health,  
Education & Social Services and  
Finance

BY GRUENBERG, TAYLOR,  
GRUSSENDORF AND BINKLEY

1 IN THE HOUSE

2 HOUSE BILL NO. 74

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 participation of former BIA  
7 school administrators in the Teachers' Retirement  
8 System."

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

10 \* Section 1. AS 14.25.220(8) is amended to read:

11 (8) "BIA service" means service, including partial years,  
12 as a teacher or school administrator in a school operated by the  
13 Bureau of Indian Affairs in Alaska;

14 \* Sec. 2. A retired member or an inactive member may claim prior ser-  
15 vice as a school administrator in a school operated by the Alaska Bureau of  
16 Indian Affairs if the member files a claim for the service by December 31,  
17 1985, and pays the arrearage indebtedness in accordance with AS 14.25.060.



COMMITTEE REPORT

4/4

HOUSE

( 7 )

FURTHER: Finance

1/18/85

Date: April 2, 1985

The Committee on Health, Education and Social Services has had HB 76

"An Act making a special appropriation for payment as a grant to the City of Wrangell for remodeling and construction of an addition to the Wrangell General Hospital; and providing for an effective date."

under consideration and recommends:

- [X] do pass [ ] do not pass
[ ] do pass with attached amendments(s)
[ ] replace with CS for [ ] same title [ ] new title
[ ] AND attaches a "Letter of Intent" [ ] New Fiscal Note [ ] Zero Fiscal Note Attached
[ ] reports it back without recommendation
[ ] referred to the Committee

MEMBERS SIGNING DO PASS

MEMBERS HAVING OTHER RECOMMENDATIONS:

ILDOPOVEN [Signature]
GRUENBERG [Signature]
HURLEY - [Signature]
HANLEY [Signature]
TAYLOR [Signature]

[Signature] NO REC
[Signature] no rec

[Signature] Co-Chairman
[Signature] Co-Chair

14-0380  
Ford

Introduced: 1/18/85  
Referred: Health, Education &  
Social Services and Finance

Funding Information

General Fund	\$6,000,000
Other Funds	-0-
	<u>\$6,000,000</u>

1 IN THE HOUSE

BY SUND AND TAYLOR

2 HOUSE BILL NO. 76

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for payment as  
7 a grant to the City of Wrangell for remodeling and  
8 construction of an addition to the Wrangell General  
9 Hospital; and providing for an effective date."

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

11 \* Section 1. The sum of \$6,000,000 is appropriated from the general  
12 fund for payment as a grant to the City of Wrangell for remodeling and  
13 construction of an addition to the Wrangell General Hospital.

14 \* Sec. 2. The appropriation made by this Act shall be disbursed in  
15 accordance with AS 37.05.315.

16 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
17 10.070(c).

ALASKA STATE LEGISLATURE

14th..... Legislature .FIRST. Session

HOUSE ..... BILL ..... NO. 76....

By ..... SUND, TAYLOR .....

"An Act making a special appropriation for payment as a grant to the City of Wrangell for remodeling and construction of an addition to the Wrangell General Hospital; and providing for an effective date."

Approp. Wrangell Gen. Hospital

Introduced in the House ...1/18..., 19..85

HISTORY IN THE HOUSE

19	85	Read first time and referred to Committee on										
Jan.	18	HESS AND FINANCE										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		<p>Reconsideration</p> <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by Speaker										
		Sent to Senate										
CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Excused	Excused											
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PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by President										
		Returned to House										
SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling Reported correctly enrolled Sent to Governor  ..... by Governor
		Filed with Lt. Governor
		Chapter No. ....

Introduced: 1/18/85  
Referred: Health, Education & Social  
Services and Finance

Funding Information  
General Fund \$6,000,000  
Other Funds -0-  
\$6,000,000

1 IN THE HOUSE

BY SUND AND TAYLOR

2

HOUSE BILL NO. 76

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation for payment as

7

a grant to the City of Wrangell for remodeling and

8

construction of an addition to the Wrangell General

9

Hospital; and providing for an effective date."

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

11 \* Section 1. The sum of \$6,000,000 is appropriated from the general  
12 fund for payment as a grant to the City of Wrangell for remodeling and  
13 construction of an addition to the Wrangell General Hospital.

14 \* Sec. 2. The appropriation made by this Act shall be disbursed in  
15 accordance with AS 37.05.315.

16 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
17 10.070(c).



STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

<p><u>REQUEST</u>                  Bill/Resolution No.: <u>CSHB 78 (L&amp;C)</u>                  Title: <u>Establishment of occupational Licensing Fees</u>                  Sponsor: <u>House Labor &amp; 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>
---	---

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-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]

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 ou 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;

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
<b>OPERATING</b>						
100 PERSONAL SERVICES		-0-				
200 TRAVEL		20.3				
300 CONTRACTUAL		13.8				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		34.1	-0-	-0-	-0-	-0-
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		34.1	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		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)

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

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

1 (6) amending or transferring a license.

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7 cate is also established by regulations adopted under AS 08.01.065  
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14 under this section is valid until the results of the examinations are  
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16 An application for a temporary license must be signed by the supervis-  
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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)  
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 Licensing fees by regulations  
 Sponsor: House Labor & Commerce  
 Requestor: \_\_\_\_\_  
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FISCAL DETAIL

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 Program Category Affected: \_\_\_\_\_  
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Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		-0-				
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700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		34.1	-0-	-0-	-0-	-0-

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		34.1	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		34.1	-0-	-0-	-0-	-0-

POSITIONS:

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

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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):

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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.

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\$ 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]
		<u>1,294.2</u>	<u>1,554.4</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



# 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

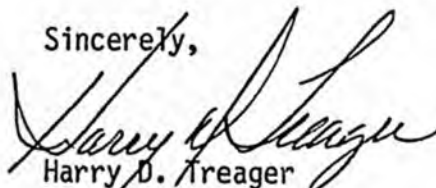
-2-

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.