

**HOUSE BILL NO. 314**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

**BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**Introduced: 2/9/24**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to occupational licensing fees; and providing for an effective date."**

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

3 \* **Section 1.** AS 08.01.065(a) is amended to read:

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

8 \* **Sec. 2.** AS 08.01.065(c) is amended to read:

9 (c) Except as provided in (f) - (k) of this section, the department shall establish  
10 fee levels under (a) of this section so that the total amount of fees collected for an  
11 occupation approximately equals the actual regulatory costs for the occupation. The  
12 department shall annually review each fee level to determine whether the regulatory  
13 costs of each occupation are approximately equal to fee collections related to that  
14 occupation. If the review indicates that an occupation's fee collections and regulatory  
15 costs are not approximately equal, the department shall calculate fee adjustments and

1 adopt regulations under (a) of this section to implement the adjustments. In January of  
 2 each year, the department shall report on all fee levels and revisions for the previous  
 3 year under this subsection to the office of management and budget. If a board  
 4 regulates an occupation covered by this chapter, the department shall consider the  
 5 board's recommendations concerning the occupation's fee levels and regulatory costs  
 6 before revising fee schedules to comply with this subsection. [IN THIS  
 7 SUBSECTION, "REGULATORY COSTS" MEANS COSTS OF THE  
 8 DEPARTMENT THAT ARE ATTRIBUTABLE TO REGULATION OF AN  
 9 OCCUPATION PLUS

10 (1) ALL EXPENSES OF THE BOARD THAT REGULATES THE  
 11 OCCUPATION IF THE BOARD REGULATES ONLY ONE OCCUPATION;

12 (2) THE EXPENSES OF A BOARD THAT ARE ATTRIBUTABLE  
 13 TO THE OCCUPATION IF THE BOARD REGULATES MORE THAN ONE  
 14 OCCUPATION.]

15 \* **Sec. 3.** AS 08.01.065 is amended by adding a new subsection to read:

16 (l) In this section, "regulatory costs" means costs of the department that are  
 17 attributable to regulation of an occupation, including all expenses of a board that  
 18 regulates the occupation if the board regulates only one occupation or the expenses of  
 19 a board that are attributable to the occupation if the board regulates more than one  
 20 occupation. In this section, "regulatory costs" does not include costs attributable to  
 21 disciplinary investigations and actions involving a person engaged in an unlicensed  
 22 practice or legal and actual costs associated with complaints, hearings, mediation, and  
 23 settlement.

24 \* **Sec. 4.** AS 08.13.185(b) is amended to read:

25 (b) The department shall set fees under AS 08.01.065 for examination [AND  
 26 INVESTIGATION].

27 \* **Sec. 5.** AS 08.61.090 is amended to read:

28 **Sec. 08.61.090. Fees.** The department shall set fees under AS 08.01.065 for  
 29 application, license issuance, **and** license renewal [, AND INVESTIGATION] under  
 30 this chapter.

31 \* **Sec. 6.** AS 08.62.040(a) is amended to read:

1 (a) The board shall

2 (1) provide for the maintenance of efficient and competent pilotage  
3 service on the inland and coastal water of and adjacent to the state to assure the  
4 protection of shipping, the safety of human life and property, and the protection of the  
5 marine environment;

6 (2) consistent with the law, adopt regulations, subject to AS 44.62  
7 (Administrative Procedure Act), establishing the qualifications of and required  
8 training for pilots and providing for the examination of pilots and the issuance of  
9 original or renewal pilot licenses to qualified persons;

10 (3) keep a register of licensed pilots, licensed deputy pilots, and  
11 agents;

12 (4) adopt regulations establishing

13 (A) pilotage regions in the state;

14 (B) the criteria for concurring in the amount of license,  
15 application, training, [INVESTIGATION,] and audit fees proposed by the  
16 department under AS 08.01.065;

17 (C) the criteria for recognizing pilot organizations under  
18 AS 08.62.175;

19 (5) make available, upon request, copies of this chapter and the  
20 regulations adopted under this chapter;

21 (6) review and approve the articles, bylaws, and rules of pilot  
22 organizations;

23 (7) audit a pilot organization or an individual pilot as necessary to  
24 implement and enforce this chapter;

25 (8) review and approve training programs conducted by pilot  
26 organizations; the board shall cooperate with the Department of Environmental  
27 Conservation in the review and approval of training programs for pilots of tank  
28 vessels;

29 (9) establish and publish the dates of future license examinations; and

30 (10) approve or disapprove rates for pilotage services as provided  
31 under AS 08.62.046.

1 \* **Sec. 7.** AS 08.62.140(a) is amended to read:

2 (a) The department shall set fees under AS 08.01.065 for applications,  
3 licenses, agent registrations, [INVESTIGATIONS,] audits, and training.

4 \* **Sec. 8.** AS 08.70.150 is amended to read:

5 **Sec. 08.70.150. Fees.** The department shall set fees under AS 08.01.065 for  
6 examination and **evaluation** [INVESTIGATION] of persons applying for a license,  
7 initial license, and license renewal.

8 \* **Sec. 9.** AS 08.80.160 is amended to read:

9 **Sec. 08.80.160. Fees.** The Department of Commerce, Community, and  
10 Economic Development shall set fees under AS 08.01.065 for the following:

- 11 (1) examination;
- 12 (2) reexamination;
- 13 (3) **evaluation** [INVESTIGATION] for licensing by license transfer;
- 14 (4) pharmacist license;
- 15 (5) temporary license;
- 16 (6) pharmacy technician license;
- 17 (7) pharmacy intern license;
- 18 (8) emergency permit;
- 19 (9) license amendment or replacement;
- 20 (10) licensure of a facility classified under AS 08.80.157(b).

21 \* **Sec. 10.** AS 08.98.190 is amended to read:

22 **Sec. 08.98.190. Fees.** The department shall set fees under AS 08.01.065 for the  
23 following:

- 24 (1) application;
- 25 (2) examination;
- 26 (3) **evaluation** [INVESTIGATION] of credentials;
- 27 (4) license;
- 28 (5) license renewal;
- 29 (6) temporary license;
- 30 (7) temporary permit.

31 \* **Sec. 11.** This Act takes effect July 1, 2024.