



STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Division of Corporations, Business and Professional Licensing

Sean Parnell, Governor
Susan Bell, Commissioner
Don Habeger, Director

September 26th, 2011

Dear Licensees and Interested Parties:

Alaska's professional licensing statute (AS 08.01.065) requires the Division of Corporations, Business and Professional Licensing to "...annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to the fee collections related to that occupation." Alaska's licensing fee statute goes on to say, "[I]f the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations...to implement the adjustments."

In accordance with this statute the Division has conducted fee analysis on a number of professions in which some fee adjustments are proposed. The analysis indicates the licensing programs for the professions of Architects, Engineers and Land Surveyors; Construction Contractors; Big Game Commercial Services; Home Inspectors; and the Real Estate Commission are in need of increased revenues for these programs to remain self-sustaining and for the Division to continue to deliver its current level of service.

The Division encourages all licensees and interested parties to comment on this proposal. After the comment period closes, the Division may adopt the regulation as drafted, may amend a proposed fee(s), or may withdraw the regulations in part or in whole. All comments received will be reviewed and taken into consideration prior to adopting the final regulations. The Division must receive the comments no later than 4:30pm on October 25, 2011 to be considered. The attached notice of fee changes prescribes how comments are to be submitted.

Sincerely,

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

Don Habeger
Director

**NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE
DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

The Department of Commerce, Community, and Economic Development proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees related to the Board of Registration for Architects, Engineers, and Land Surveyors, Construction Contractors, Big Game Commercial Services Board, Home Inspectors, and the Real Estate Commission, including the following:

1. **12 AAC 02.110, Board of Registration for Architects, Engineers, and Land Surveyors**, is proposed to be changed to alter the registration, certification, and renewal fees relating to the board of registration for architects, engineers, and land surveyors.
2. **12 AAC 02.180, Construction contractors**, is proposed to be changed to alter the registration, license, endorsement, and renewal fees relating to construction contractors.
3. **12 AAC 02.230, Big Game Commercial Services Board**, is proposed to be changed to alter the license and renewal fees for registered and master guide-outfitters, Class-A assistant and assistant guides, and transporters.
4. **12 AAC 02.235, Home inspectors**, is proposed to be changed to alter the registration and renewal fees for home inspectors and associate home inspectors.
5. **12 AAC 02.360, Real Estate Commission**, is proposed to be changed to alter the license and renewal fees for real estate salespersons, associate brokers, and brokers.

Under AS 08.01.065, the Department of Commerce, Community, and Economic Development must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Department of Commerce, Community, and Economic Development has reviewed the income and expenses for each of the occupational licensing programs listed above and proposed fee changes that reflect, to the extent possible, the actual costs of the activities related to each of these programs.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments by mail, fax, or e-mail to:

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
Fax: (907) 465-2974
E-mail: jun.maiquis@alaska.gov

The written comments must be received no later than 4:30 p.m. on October 25, 2011.

If you are a person with a disability who needs a special accommodation in order to participate in the process for written comments, please contact Jun Maiquis at (907) 465-2537 no later than October 19, 2011 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <http://commerce.alaska.gov/occ/pub/OCCLICfees-DEC2011.pdf>

After the public comment period ends, the Department of Commerce, Community, and Economic Development will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.01.100; AS 08.18.022; AS 08.18.041; AS 08.48.265; AS 08.54.770; AS 08.88.221

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.01.100; AS 08.18.022; AS 08.18.041; AS 08.48.265; AS 08.54.770; AS 08.88.221

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, please send your request to the Division of Corporations, Business and Professional Licensing at the address above and include your name, address, and the occupational area in which you are interested.

DATE: 09/23/11

/s/
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

ADDITIONAL REGULATIONS NOTICE INFORMATION (AS 44.62.190(d))

- 1. Adopting agency:** Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. General subject of regulation:** Occupational licensing fees.
- 3. Citation of regulation:** 12 AAC 02.110, 12 AAC 02.180, 12 AAC 02.230, 12 AAC 02.235, and 12 AAC 02.360.
- 4. Reason for the proposed action:** Compliance with state statute.
- 5. Appropriation/Allocation:** Corporations, Business and Professional Licensing - #2360.
- 6. Cost of implementation to the state agency and available funding (in thousands of dollars):** No costs are expected in FY 2012 or in subsequent years.
- 7. The name of the contact person for the regulations:**

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
(907) 465-2537
jun.maiquis@alaska.gov

- 8. The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.

9. Date: 09/23/11

Prepared by: /s/
Jun Maiquis, Regulations Specialist

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)

12 AAC 02.110(a) is amended to read:

12 AAC 02.110. Board of Registration for Architects, Engineers, and Land

Surveyors. (a) The following fees are established for architects, engineers, land surveyors, and landscape architects:

- (1) application fee for initial registration and corporate, limited liability company, or limited liability partnership certification, \$50;
- (2) review fee for registration by comity, \$100;
- (3) registration fee for all or part of the initial biennial registration period, **\$150** [\$125];
- (4) biennial registration renewal fee, **\$150** [\$125];
- (5) corporation, limited liability company, or limited liability partnership certification fee, for all or part of the biennial certification period, **\$150** [\$125];
- (6) biennial corporation, limited liability company, or limited liability partnership certification renewal fee, **\$150** [\$125];
- (7) amendment to corporate, limited liability company, or limited liability partnership certification, \$50;
- (8) fee for having examination proctored out of state, \$50;
- (9) examination review fee:
 - (A) Landscape Architect Registration Examination (LARE), for each section, \$100;

(B) all other examinations, \$100;

(10) retired status registration one-time fee, \$50.

(Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/4/90, Register 114; am 5/20/92, Register 122; am 9/5/93, Register 127; am 11/3/95, Register 136; am 4/19/97, Register 142; am 7/26/97, Register 143; am 11/29/97, Register 144; am 1/8/98, Register 145; am 11/14/99, Register 152; am 2/2/2001, Register 157; am 8/8/2003, Register 167; am 12/2/2005, Register 176; am 11/18/2006, Register 180; am 6/22/2008, Register 186; am 11/26/2009, Register 192; am ___/___/___, Register ___)

Authority: AS 08.01.065 AS 08.48.265

12 AAC 02.180(a) is amended to read:

12 AAC 02.180. Construction contractors. (a) The following fees are established for general, mechanical, and all specialty construction contractors:

(1) nonrefundable application fee for initial registration or residential contractor endorsement, \$50;

(2) certificate of registration and license enforcement support fee, for all or part of the initial biennial registration period, **\$300** [\$200];

(3) biennial certificate of registration renewal and license enforcement support fee, **\$300** [\$200];

(4) fee for change from one specialty to another specialty, or from specialty to mechanical, or from mechanical to specialty, contractor registration, \$25;

(5) name change, \$50;

(6) bonding research, \$20;

(7) residential contractor endorsement fee, for all or part of the initial biennial endorsement period, **\$300** [\$200];

(8) biennial residential contractor endorsement renewal fee, **\$300** [\$200];

(9) residential contractor endorsement examination fee, \$75.

(Eff. 9/27/86, Register 99; am 11/20/86, Register 100; am 10/1/88, Register 107; am 5/4/90, Register 114; am 5/20/92, Register 122; am 8/20/93, Register 127; am 10/29/94, Register 132; am 11/15/96, Register 140; am 11/27/98, Register 148; am 10/28/2000, Register 156; am 3/25/2004, Register 169; am ___/___/___, Register ___)

Authority: AS 08.01.065 AS 08.18.041

12 AAC 02.230 is amended to read:

12 AAC 02.230. Big Game Commercial Services Board. (a) The following fees are established for registered and master guide-outfitters:

(1) nonrefundable application fee for initial license, \$100;

(2) initial registered guide-outfitter qualification examination or retake examination fee, \$50;

(3) game management unit examination fee for taking initial examination, retaking examination, or adding game management units, \$200 per game management unit;

(4) registered or master guide-outfitter license fee, for all or part of the biennial license period, **\$725** [\$450];

(5) biennial registered or master guide-outfitter license renewal fee, **\$725** [\$450];

(6) examination preparation packet for registered guide-outfitter, \$25.

(b) The following fees are established for Class-A assistant and assistant guides:

(1) nonrefundable application fee for initial license, \$100;

(2) Class-A assistant and assistant guide license fee for all or part of the initial biennial license period, **\$420** [\$250];

(3) Class-A assistant and assistant guide biennial license renewal fee, **\$420** [\$250].

(c) The following fees are established for transporter licenses:

(1) nonrefundable application fee, \$100;

(2) transporter license fee, for all or part of the biennial license period, **\$725** [\$450];

(3) biennial transporter license renewal fee, **\$725** [\$450].

(d) Under AS 08.54.770(e), the license fees for nonresidents are double the license fees established in (a) – (c) of this section. (Eff. 3/6/86, Register 97; am 4/3/88, Register 105; am 3/25/89, Register 109; am 8/29/90, Register 115; am 2/25/93, Register 125; am 10/29/94, Register 132; am 5/24/96, Register 138; am 10/19/96, Register 140; am 11/28/99, Register 152; am 12/16/2001, Register 160; am 11/18/2006, Register 180; am 12/21/2007, Register 184; am 11/26/2009, Register 192; am ___/___/___, Register ___)

Authority: AS 08.01.010 AS 08.01.100 AS 08.54.770
AS 08.01.065

12 AAC 02.235 is amended to read:

12 AAC 02.235. Home inspectors. The following fees are established for home inspectors and associate home inspectors:

(1) nonrefundable application fee for initial license, \$50;

(2) certificate of registration and license enforcement support fee, for all or part of the initial biennial licensing period, **\$300** [\$200];

(3) biennial certificate of registration renewal and license enforcement support fee, **\$300** [\$200];

(4) bonding research, \$20;

(5) fee for adding an additional type of authorized inspection to a registration, \$20. (Eff. 3/25/2004, Register 169; am ___/___/___, Register ___)

Authority: AS 08.01.065 AS 08.18.022 AS 08.18.041

12 AAC 02.360(a) is amended to read:

12 AAC 02.360. Real Estate Commission. (a) The following fees are established for real estate salespersons, associate brokers, and brokers:

(1) license fee, for all or part of the initial biennial license period, whether licensure is by examination or endorsement, **\$685** [\$275];

(2) biennial license renewal fee for both active and inactive licenses, **\$685** [\$275];

(3) fee for office changes, including change of broker and company name, \$50 for each license;

(4) transfer of license fee, \$50;

(5) application fee for initial license, \$50;

(6) initial office registration fee, \$100;

(7) license inactivation or reactivation fee, \$50;

(8) duplicate license fee, \$30;

(9) name change fee, \$30;

(10) post-license education certification and new license document fee, \$30;

(11) reinstatement fee for a lapsed license, \$250.

(Eff. 3/6/91, Register 117; am 5/28/93, Register 126; am 6/5/94, Register 130; am 11/10/95, Register 136; am 11/22/97, Register 144; am 12/28/97, Register 144; am 11/6/99, Register 152; am 10/28/2000, Register 156; am 10/20/2001, Register 160; am 12/2/2005, Register 176; am 1/1/2006, Register 176; am 1/1/2010, Register 192; am 5/28/2011, Register 198; am 9/17/2011, Register 199; am ___/___/___, Register ___)

Authority: AS 08.01.065 AS 08.88.221