

HOUSE BILL NO. 277

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON WAYS AND MEANS

Introduced: 1/18/24

Referred: House Special Committee on Ways and Means, Labor and Commerce, Finance

A BILL**FOR AN ACT ENTITLED**

1 **"An Act relating to occupational licensing; 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(c) is amended to read:

4 (c) Except as provided in **(i)** [(f) - (k)] of this section, the department shall
5 establish fee levels under (a) of this section so that the total [AMOUNT OF] fees
6 collected for an occupation approximately equals the actual regulatory costs for the
7 occupation **except that the total fees collected for the occupation may not exceed**
8 **the national average of the total fees collected for that occupation, as determined**
9 **by the department.** The department shall annually review each fee level to determine
10 whether the regulatory costs of each occupation are approximately equal to **the total**
11 **fees collected for** [FEE COLLECTIONS RELATED TO] that occupation **and**
12 **whether the total fees collected for each occupation exceed the national average**
13 **of the total fees collected for that occupation.** If the review indicates that **the total**
14 **fees collected for an occupation** [AN OCCUPATION'S FEE COLLECTIONS] and
15 **the** regulatory costs are not approximately equal **or that the total fees collected for**

1 **an occupation exceed the national average of the total fees collected for that**
 2 **occupation**, the department shall calculate fee adjustments and adopt regulations
 3 under (a) of this section to implement the adjustments. In January of each year, the
 4 department shall report on all fee levels and revisions for the previous year under this
 5 subsection to the office of management and budget. If a board regulates an occupation
 6 covered by this chapter, the department shall consider the board's recommendations
 7 concerning the occupation's fee levels and regulatory costs before revising fee
 8 schedules to comply with this subsection. In this subsection, "regulatory costs" means
 9 costs of the department that are attributable to regulation of an occupation plus

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

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

14 * **Sec. 2.** AS 08.01 is amended by adding a new section to read:

15 **Sec. 08.01.067. Reciprocity.** (a) Except as provided in (b) of this section, and
 16 notwithstanding another provision of law, the department or appropriate board shall
 17 issue to an applicant a license to practice an occupation covered by this chapter for
 18 which the applicant holds a comparable license in another jurisdiction if the applicant
 19 meets the requirements of this section and applies to the department or appropriate
 20 board in the manner prescribed by the department or appropriate board. An application
 21 must include evidence satisfactory to the department or appropriate board that the
 22 applicant

23 (1) holds a current license in another state, district, or territory of the
 24 United States that the applicant has actively used during the two years immediately
 25 preceding the date of application;

26 (2) if required by the department or appropriate board for obtaining the
 27 license, has been fingerprinted and has provided the fees required by the Department
 28 of Public Safety under AS 12.62.160 for criminal justice information and a national
 29 criminal history record check; the fingerprints and fees shall be forwarded to the
 30 Department of Public Safety to obtain a report of criminal justice information under
 31 AS 12.62 and a national criminal history record check under AS 12.62.400;

- 1 (3) is in good standing with the licensing authority of
 2 (A) the jurisdiction that issued the applicant's existing license;
 3 and
 4 (B) any other jurisdiction that has issued the applicant a
 5 comparable license to the license applied for; and
 6 (4) pays any fees required under this title.
- 7 (b) This section does not apply to a
 8 (1) business license under AS 43.70;
 9 (2) permit for a qualified agency under AS 08.02.050; or
 10 (3) license to practice
 11 (A) public accounting under AS 08.04;
 12 (B) acupuncture under AS 08.06;
 13 (C) barbering, hairdressing, hair braiding, manicuring,
 14 esthetics, body piercing, tattooing, or permanent cosmetic coloring under
 15 AS 08.13;
 16 (D) chiropractic under AS 08.20;
 17 (E) professional counseling under AS 08.29;
 18 (F) dental hygiene under AS 08.32;
 19 (G) dentistry under AS 08.36;
 20 (H) dietetics or nutrition under AS 08.38;
 21 (I) as an electrical administrator under AS 08.40;
 22 (J) mortuary science under AS 08.42;
 23 (K) architecture, engineering, land surveying, or landscape
 24 architecture under AS 08.48;
 25 (L) massage therapy under AS 08.61;
 26 (M) marital and family therapy under AS 08.63;
 27 (N) medicine, osteopathy, or podiatry under AS 08.64;
 28 (O) direct-entry midwifery under AS 08.65;
 29 (P) registered, advanced practice registered, or practical
 30 nursing under AS 08.68;
 31 (Q) as a nursing home administrator under AS 08.70;

1 (R) as a dispensing optician under AS 08.71;

2 (S) optometry under AS 08.72;

3 (T) pharmacy under AS 08.80;

4 (U) physical therapy or occupational therapy under AS 08.84;

5 (V) psychology under AS 08.86;

6 (W) as a real estate broker, associate real estate broker, or real
7 estate salesperson under AS 08.88;

8 (X) social work under AS 08.95; or

9 (Y) veterinary medicine under AS 08.98.

10 (c) An applicant issued a license under this section to practice an occupation is
11 exempt from other initial licensure requirements, but is otherwise subject to all laws
12 that apply to the license and the practice of the occupation.

13 * **Sec. 3.** AS 18.08.080(b) is amended to read:

14 (b) The department may charge fees set by regulation for the certification or
15 licensure of individuals and organizations under this chapter. **The total fees collected**
16 **for a certificate or license for an emergency medical technician, emergency**
17 **medical technician instructor, emergency medical dispatcher, or mobile intensive**
18 **care paramedic under AS 18.08.082 may not exceed the national average of the**
19 **total fees collected for those occupations, as determined by the department. The**
20 **department shall annually review the total fees collected for each occupation to**
21 **ensure that the total fees collected do not exceed the national average of the total**
22 **fees collected for that occupation.**

23 * **Sec. 4.** AS 18.08 is amended by adding a new section to read:

24 **Sec. 18.08.083. Reciprocity.** (a) The department shall issue to an applicant a
25 certificate or license to practice an occupation certified or licensed under
26 AS 18.08.082 if the applicant is certified or licensed to practice a comparable
27 occupation in another jurisdiction, meets the requirements of this section, and applies
28 to the department in the manner prescribed by the department. An application must
29 include evidence satisfactory to the department that the applicant

30 (1) holds a current certificate or license in another state, district, or
31 territory of the United States that the applicant has actively used during the two years

1 immediately preceding the date of application;

2 (2) if required by the department for obtaining the certificate or
3 license, has been fingerprinted and has provided the fees required by the Department
4 of Public Safety under AS 12.62.160 for criminal justice information and a national
5 criminal history record check; the fingerprints and fees shall be forwarded to the
6 Department of Public Safety to obtain a report of criminal justice information under
7 AS 12.62 and a national criminal history record check under AS 12.62.400;

8 (3) is in good standing with the certifying or licensing authority of

9 (A) the jurisdiction that issued the applicant's existing
10 certificate or license; and

11 (B) any other jurisdiction that has issued the applicant a
12 comparable certificate or license to the certificate or license applied for; and

13 (4) pays any fees required under this chapter.

14 (b) An applicant issued a certificate or license under this section to practice an
15 occupation is exempt from other initial certification or licensure requirements, but is
16 otherwise subject to all laws and regulations that apply to the certificate or license and
17 the practice of the occupation.

18 * **Sec. 5.** AS 28.15.046(b) is amended to read:

19 (b) The department may not issue a license under this section unless the
20 applicant

21 (1) is at least 21 years of age;

22 (2) has had a license to operate a motor vehicle at least three years
23 before the date of application;

24 (3) has successfully completed all required driving, written, and
25 physical examinations;

26 (4) has submitted the applicant's fingerprints, the fees required by the
27 Department of Public Safety under AS 12.62.160 for criminal justice information and
28 a national criminal history record check, and other information sufficient to complete a
29 background check consisting of a fingerprint check of national criminal records and
30 state criminal records of the state or states in which the applicant has resided for the
31 past 10 years; the department shall submit the fingerprints and fees to the Department

1 of Public Safety for a report of criminal justice information under AS 12.62 and a
2 national criminal history record check under AS 12.62.400;

3 (5) **meets one of the following conditions:**

4 (A) has completed a state approved school bus driver training
5 course established under AS 14.07.020(a)(14);

6 (B) [OR] has for the previous two years been licensed by the
7 state to operate a school bus; **or**

8 (C) **holds a valid license in another state, district, or**
9 **territory of the United States comparable to a license under this section**
10 **that the applicant has actively used during the two years immediately**
11 **preceding the date of application.**

12 * Sec. 6. AS 28.33.100(a) is amended to read:

13 (a) A person may not drive a commercial motor vehicle until the person
14 applies for and is issued a license for that purpose under AS 28.15.041. The
15 department may not issue a license to drive a commercial motor vehicle unless the
16 applicant

17 (1) is at least 18 years of age, to operate in intrastate commerce, or at
18 least 21 years of age, to operate in interstate commerce, except as provided in (f) of
19 this section;

20 (2) **meets one of the following conditions:**

21 (A) has successfully completed all required driving tests and
22 written and physical examinations; **or**

23 (B) **holds a valid license to drive a commercial motor**
24 **vehicle in another state, district, or territory of the United States**
25 **comparable to a license under this section that the applicant has actively**
26 **used during the two years immediately preceding the date of application;**

27 (3) either does not have a driver's license issued by another jurisdiction
28 or surrenders all driver's licenses issued by other jurisdictions; and

29 (4) is domiciled in this state.

30 * Sec. 7. AS 46.03.320(b) is amended to read:

31 (b) The department may provide by regulation for the licensing of or

1 temporary license waiver for private applicators of restricted-use pesticides, for
 2 persons engaged in the custom, commercial, or contract spraying or application of
 3 pesticides and broadcast chemicals, and for other persons engaged in the spraying or
 4 application of pesticides and broadcast chemicals in public places. A person engaged
 5 in the custom, commercial, or contract spraying or application of pesticides and
 6 broadcast chemicals may, by regulation, be required to secure a surety bond or liability
 7 insurance. **The department shall establish fee levels to apply for and renew a**
 8 **license provided for under this subsection. The total fees collected for each**
 9 **occupation may not exceed the national average of the total fees collected for that**
 10 **occupation, as determined by the department. The department shall annually**
 11 **review the total fees collected for each type of license to ensure that the total fees**
 12 **collected for each type of license do not exceed the national average of the total**
 13 **fees collected for that license.**

14 * **Sec. 8.** AS 46.03.320 is amended by adding new subsections to read:

15 (e) If the department provides by regulation for the licensing of an occupation
 16 under (b) of this section, the department shall issue to an applicant a license to practice
 17 that occupation if the applicant holds a comparable license in another jurisdiction,
 18 meets the requirements of this subsection, and applies to the department in the manner
 19 prescribed by the department. An application must include evidence satisfactory to the
 20 department that the applicant

21 (1) holds a current comparable license in another state, district, or
 22 territory of the United States that the applicant has actively used during the two years
 23 immediately preceding the date of application;

24 (2) if required by the department for obtaining a license, has been
 25 fingerprinted and has provided the fees required by the Department of Public Safety
 26 under AS 12.62.160 for criminal justice information and a national criminal history
 27 record check; the fingerprints and fees shall be forwarded to the Department of Public
 28 Safety to obtain a report of criminal justice information under AS 12.62 and a national
 29 criminal history record check under AS 12.62.400;

30 (3) is in good standing with the licensing authority of

31 (A) the jurisdiction that issued the applicant's existing license;

1 and

2 (B) any other jurisdiction that has issued the applicant a
3 comparable license to the license applied for; and

4 (4) pays any fees required by the department.

5 (f) An applicant issued a license under (e) of this section to practice an
6 occupation is subject to all other laws and regulations that apply to the license and the
7 practice of the occupation.

8 * **Sec. 9.** AS 08.01.065(f), 08.01.065(g), 08.01.065(h), 08.01.065(i), and 08.01.065(k) are
9 repealed.

10 * **Sec. 10.** This Act takes effect July 1, 2025.