



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

May 20, 2016

Dear licensees and interested parties:

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

The Division proposes an increase in licensing fee amounts in order to comply with the statute listed above, as well as to continue to deliver its current level of service for the Acupuncturist licensing program. The program has been in deficit since 2012 and the deficit is anticipated to grow to (\$40,000) by FY2017 if no fee changes are made. In addition, there has not been a fee change since 2007 when the license fee was reduced from \$200 to the current \$50. The proposed increase will still not get the program out of deficit until the FY2018/2019 renewal cycle. Barring any unforeseen circumstances, the proposed increase will stabilize the program for the foreseeable future and will prevent the need for an even larger increase later.

This fee proposal is entering a public comment period. The division encourages all licensees and interested parties to comment on this proposal through the division's Regulations Specialist, whose contact information is enclosed on the public notice. After the comment period closes and the division reviews all comments received, the division may adopt the regulation as drafted, may amend a proposed fee, or may withdraw the regulations in part or in its whole.

All comments received will be reviewed and taken into consideration prior to adopting the final regulations. The final decision will result in the fee to be implemented during the upcoming license renewal.

Follow the instructions enclosed to make written comments during the public comment period. Comments must be addressed to Jun Maiquis, Regulations Specialist, PO Box 110806, Juneau, AK 99811 or jun.maiquis@alaska.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janey Hovenden".

Janey Hovenden
Director

Encl.

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR
ACUPUNCTURISTS IN THE REGULATIONS OF THE DEPARTMENT OF
COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to acupuncturists.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees for acupuncturists, including the following:

12 AAC 02.108, Acupuncturists, is proposed to be changed to alter the application, license, and renewal fees for acupuncturists.

Under AS 08.01.065, the Department 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 has reviewed the income and expenses for the occupational licensing program for Acupuncturists and proposes fee changes that reflect, to the extent possible, the actual costs of the activities related to the program.

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 to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at jun.maiquis@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/181600>, and using the comment link. **The comments must be received not later than 4:30 p.m. on June 23, 2016.**

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at jun.maiquis@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/Acupuncturists.aspx> or on the Alaska Online Public Notice System. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or jun.maiquis@alaska.gov not later than June 16, 2016 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 <https://www.commerce.alaska.gov/web/portals/5/pub/ACU-Fees-2016.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.010; AS 08.01.065; AS 08.06.030; AS 08.06.100

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.010; AS 08.01.065; AS 08.06.030; AS 08.06.100

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

DATE: 5/23/16

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

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, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION 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 02.108.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: \$150 increase for initial application; \$175 increase for initial biennial license; \$175 increase for biennial license renewal.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2016 or in subsequent years.
9. **The name of the contact person for the regulation:**
Sara Chambers, Division Operations Manager
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-2144
E-mail: sara.chambers@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 5/23/16 **Prepared by:** /s/
Jun Maiquis
Regulations Specialist
(907) 465-2537

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.

12 AAC 02.108 is amended to read:

12 AAC 02.108. Acupuncturists. The following fees are established for acupuncturists:

- (1) application fee for initial license, **\$200** [\$50];
- (2) license fee for all or part of the initial biennial license period, **\$225** [\$50];
- (3) biennial license renewal fee, **\$225** [\$50]. (Eff. 5/20/92, Register 122; am

5/28/93, Register 126; am 9/11/94, Register 131; am 7/25/96, Register 139; am 8/10/2000, Register 155; am 8/26/2004, Register 171; am 7/20/2006, Register 179; am ___/___/___, Register _____)

Authority: AS 08.01.010 AS 08.06.030 AS 08.06.100
AS 08.01.065