



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

August 5, 2015

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 Real Estate Commission reviewed the fee structure at its July 22, 2015 meeting and recommended the reduction to several fees. The fees, as currently set, would not only get the program out of a deficit position, but if spending remained the same, it would realize a surplus at the end of the next biennial renewal cycle. The Commission felt the surplus was not necessary and that the licensees should realize a slight savings in fees. The Division considered the Commission's recommendation and supports the reduction in fees as proposed. In the interest of standardization, the Division also recommends that the fee for licensure be the same whether it is the initial or renewal license. The fee difference, if added to the application fee instead, would realize no cost change to the initial applicant. A breakdown of the proposed fees is enclosed and located on the Commission's web page at professionallicense.alaska.gov/RealEstateCommission.

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 this fall's 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.

**OCCUPATIONAL LICENSING FEES FOR PROFESSIONS REGULATED BY
THE REAL ESTATE COMMISSION:
NOTICE OF PROPOSED REGULATIONS CHANGES
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 real estate salespersons, associate brokers, and brokers.
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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 professions regulated by the Real Estate Commission, including the following:

12 AAC 02.360, Real Estate Commission, is proposed to be changed to alter the application, registration, office changes, license, and renewal fees for real estate salespersons, associate brokers, and brokers.

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 the Real Estate Commission 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/177823>, and using the "comment" link. **The comments must be received no later than 4:30 p.m. on September 8, 2015.**

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 response available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateCommission.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 no later than September 1, 2015 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/REC-Fees-2015.pdf>

After the public comment period ends, the Department 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 and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.88.221

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.88.221

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

DATE: 8/7/15

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

**OCCUPATIONAL LICENSING FEES FOR PROFESSIONS REGULATED BY
THE REAL ESTATE COMMISSION:
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 02.360.
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 costs in the aggregate to comply with the proposed action to:**
 - a. **Private Persons:** \$125 reduction for initial license; \$75 reduction for renewal license; \$50 reduction for office changes; \$75 reduction for office registration; and a \$50 increase for initial application.
 - b. **Other State Agencies:** None.
 - c. **Municipalities:** None.
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 regulations:**
Sara Chambers, Professional Licensing 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:** 8/7/15 **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.)

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, **\$325** [~~\$450~~];
- (2) biennial license renewal fee for both active and inactive licenses, **\$325** [~~\$400~~];
- (3) fee for office changes, including change of broker and company name, **\$75** [~~\$125~~] for each license;
- (4) transfer of license fee, \$225;
- (5) application fee for initial license, **\$175** [~~\$125~~];
- (6) initial office registration fee, **\$225** [~~\$300~~];
- (7) license inactivation or reactivation fee, \$125;
- (8) duplicate license fee, \$50;
- (9) name change fee, \$75;
- (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

Register _____, _____ 2015 **PROFESSIONAL REGULATIONS**

1/1/2006, Register 176; am 1/1/2010, Register 192; am 5/28/2011, Register 198; am 9/17/2011, Register 199; am 1/8/2012, Register 201; am 11/30/2013, Register 208; am ___/___/____, Register ____)

Authority: AS 08.01.065 AS 08.88.221