

Mead Treadwell  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520 465.5400 Fax  
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Anchorage, Alaska 99501  
907.269.7460 269.0263  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Jun Maiquis, AAC Contact  
Department of Commerce, Community, & Economic Development

**FROM:** Scott Meriwether  
Special Assistant 907.465.3509 

**DATE:** November 5, 2014

**RE:** Filed Permanent Regulations: Department of Commerce, Community, & Economic Development

Regulation re: 12 AAC 02.300: Occupational Licensing Fees: Board of Examiners in Optometry: 12 AAC 02.300

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Attorney General File:	JU2014200763
Regulation Filed:	10/31/2014
Effective Date:	11/30/2014
Print:	212, January 2015

cc with enclosures: Linda Miller, Department of Law  
Dean Williams, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

JU2014200763

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached one page of regulations, dealing with occupational licensing fees related to the Board of Examiners in Optometry, is adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.065 and AS 08.72.191 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE:

October 28, 2014  
Juneau, Alaska



Sara Chambers, Director  
Division of Corporations, Business and  
Professional Licensing

FILING CERTIFICATION

✓ Scott Meriwether for

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on October 31, 2014 at 1:40 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

Scott Meriwether for  
Mead Treadwell, Lieutenant Governor

Effective: November 30, 2014

Register: 212, January 2015



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Programs fax: 907.465.5442

## ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

### Delegation of Authority

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPL), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:

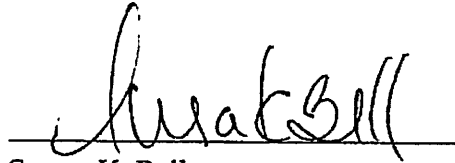
Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
[micaela.fowler@alaska.gov](mailto:micaela.fowler@alaska.gov)

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Sara Chambers  
Director  
CBPL  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
[sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov)

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 4<sup>th</sup> day of April, 2014

A handwritten signature in black ink, appearing to read "Susan K. Bell", written over a horizontal line.

Susan K. Bell

Commissioner

Department of Commerce, Community,  
and Economic Development

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, MEAD TREADWELL, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Scott Meriwether, SPECIAL ASSISTANT**

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Anchorage, on July 2, 2014.



.....

**MEAD TREADWELL  
LIEUTENANT GOVERNOR**



**Chapter 02. General Occupational Licensing Functions.**

12 AAC 02.300 is amended to read:

**12 AAC 02.300. Board of Examiners in Optometry.** The following fees are established for optometrists:

- (1) nonrefundable application fee for initial license, **\$100** [\$50];
- (2) examination fee, **\$100** [\$50];
- (3) license fee for all or part of the initial biennial license period, **\$480** [\$400];
- (4) biennial license renewal fee, **\$480** [\$400];
- (5) retired status license fee, \$150. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; 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 12/16/2001, Register 160; am 11/15/2002, Register 164; am 11/18/2006, Register 180; am 10/16/2011, Register 200; am 12/2/2012, Register 204; am 11/30/2014, Register 212)

**Authority:** AS 08.01.065 AS 08.72.191

# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Mead Treadwell  
Lieutenant Governor

Date: October 31, 2014

File No.: JU2014200763

Tel. No.: 465-3600

From: Susan R. Pollard *SRPollard*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

Re: Regulation re: 12 AAC 02.300:  
Occupational Licensing Fees: Board  
of Examiners in Optometry

We have reviewed the attached regulations from the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. The regulations update occupational licensing fees for professionals licensed by the Board of Examiners in Optometry.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The September 25, 2014 public notice and the October 28, 2014 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SRP:ljm

cc w/enc: Hon. Susan K. Bell, Commissioner  
Department of Commerce, Community, and Economic Development

# MEMORANDUM

State of Alaska  
Department of Law

**To:** Hon. Susan K. Bell, Commissioner  
Dept. of Commerce, Community, and  
Economic Development  
(via email)

**Date:** October 31, 2014

**File No.:** JU2014200763

**Tel. No.:** 465-3600

**From:** Susan R. Pollard *SRPollard*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**Re:** Regulations re: 12 AAC 02.300:  
Occupational Licensing Fees: Board  
of Examiners in Optometry

Under AS 44.62.060, we have reviewed the attached regulation changes by the Department of Commerce, Community, and Economic Development, and approve the changes for filing by the lieutenant governor.

You might wish to contact the lieutenant governor's office to confirm the filing date and effective date of the attached regulations changes.

The September 25, 2014 public notice and the October 28, 2014 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SRP:ljm

cc w/enc: (via email):

Micaela Fowler, Regulations Contact  
Dept. of Commerce, Community, and Economic Development

Sara Chambers, Director  
Division of Corporations, Business, and Professional Licensing  
Dept. of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist  
Division of Corporations, Business, and Professional Licensing  
Dept. of Commerce, Community, and Economic Development

Harriet Milks, Assistant Attorney General  
Commercial and Fair Business Section



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

<b>BRIEF DESCRIPTION:</b> The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to optometrists.
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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 Examiners in Optometry, including the following:

**12 AAC 02.300, Board of Examiners in Optometry**, is proposed to be changed to alter the application, examination, license, and renewal fees for optometrists.

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 the occupational licensing program for the Board of Examiners in Optometry 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 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](mailto: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/174130>, and using the "comment" link.

**The written comments must be received no later than 4:30 p.m. on October 27, 2014.**

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 October 20, 2014 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/dnn/portals/5/pub/OPT-Fees-0914.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.

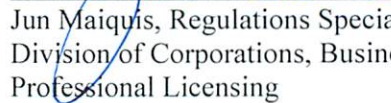
**Statutory Authority:** AS 08.01.065; AS 08.72.191

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.72.191

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

DATE:

9/24/14

  
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, 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.


**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 02.300.
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. **Cost of implementation to the state agency and available funding (in thousands of dollars):**  
No costs are expected in FY 2015 or in subsequent years.
8. **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  
Telephone: (907) 465-2537  
E-mail: jun.maiquis@alaska.gov

9. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
10. **Date:** 9/24/14

Prepared by:

  
Jun Maiquis, Regulations Specialist

STATE OF ALASKA

## FIRST JUDICIAL DISTRICT

$$\left. \begin{array}{l} ) \\ ) \\ ) \end{array} \right\} \text{SS.}$$

**AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS  
AND FURNISHING OF ADDITIONAL INFORMATION**

I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 02.300, dealing with occupational licensing fees related to the Board of Examiners in Optometry, has been given by being:

1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulations, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

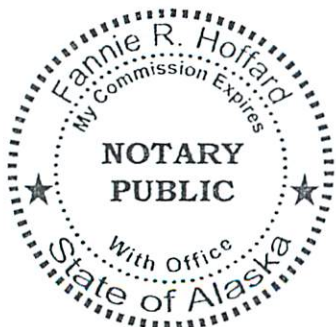
As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 10/28/14  
Juneau, Alaska

  
Jun Maquis, Regulations S

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 28 day of October, 2014.



Frank Wolf

Notary Public in and for the  
State of Alaska

My commission expires: with office



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0001301649  
\$ 433.28

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Kayla Lavea  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Alaska Dispatch News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska,  
and it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

September 25, 2014

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed Kayla Lavea

Subscribed and sworn to before me  
this 25th day of September, 2014

Britney Thompson

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES



05/18/15

## NOTICE OF PROPOSED CHANGES 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 optometrists.

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 Examiners in Optometry, including the following:

**12 AAC 02.300, Board of Examiners in Optometry**, is proposed to be changed to alter the application, examination, license, and renewal fees for optometrists.

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 the occupational licensing program for the Board of Examiners in Optometry 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 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

Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system at <http://notice.alaska.gov/174130>, and using the "comment" link.

The written comments must be received no later than 4:30 p.m. on October 27, 2014.

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 October 20, 2014 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/dnn/portals/5/pub/OPT-Fees-0914.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 08.72.191  
**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.72.191

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

DATE: 09/24/14

/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, 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.



STATE OF ALASKA

## FIRST JUDICIAL DISTRICT

SS.

## AFFIDAVIT OF DEPARTMENT CONSIDERATION OF BOARD RECOMMENDATIONS

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Board of Examiners in Optometry before adopting changes to the fees in 12 AAC 02.300.

DATE:

10/28/14

Juneau, Alaska

Jun Maiquis, Regulation

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 28 day of October, 2014.



Farhad

Notary Public in and for the  
State of Alaska

My commission expires: with office

State of Alaska  
My commission expires: with office

STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT )

## AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:


In compliance with AS 44.62.215, the Department of Commerce, Community, and Economic Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Commerce, Community, and Economic Development regulations on dealing with occupational licensing fees related to the Board of Examiners in Optometry.

DATE: 10/28/14  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 28 day of October, 2014.



  
\_\_\_\_\_  
Notary Public in and for the  
State of Alaska  
My commission expires: with office