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Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

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

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: April 20, 2017

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

Department of Commerce, Community, and Economic Development: Regulation re: 12 AAC 02:330: Occupational Licensing Fees: Psychologists and Psychological Associate Examiners (12 AAC 02.330)

Attorney General File:	JU2017200125
Regulation Filed:	4/19/2017
Effective Date:	5/19/2017
Print:	222, July 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

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

The attached two pages of regulations, dealing with occupational licensing fees for professions regulated by the Board of Psychologist and Psychological Associate Examiners, are 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 08.01.062, AS 08.01.065, AS 08.86.135, and AS 08.86.140 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: April 13, 2017
Juneau, Alaska


Janey Hovenden, Director
Division of Corporations, Business and
Professional Licensing

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on April 19, 2017 at 11:46 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: May 19, 2017.

Register: 222, July 2017.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**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

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:

Janey Hovenden
Director
CBPL
DCCED
P.O. Box 110806
Juneau, AK 99811-0806
907-465-2538
janey.hovenden@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 16th day of March, 2015

A handwritten signature in dark ink, appearing to read "CH Hladick", is written over a horizontal line.

Chris Hladick
Commissioner
Department of Commerce, Community,
and Economic Development

Chapter 02. General Occupational Licensing Functions.

12 AAC 02.330 is amended to read:

12 AAC 02.330. Board of Psychologist and Psychological Associate Examiners. The following fees are established for psychologists and psychological associates:

- (1) application fee for
 - (A) initial license, **\$200** [\$75];
 - (B) any courtesy psychologist license; \$50;
- (2) credential review fee, \$100;
- (3) psychologist license fee for all or part of the initial biennial licensing period, \$775;
- (4) psychologist biennial license renewal fee, \$775;
- (5) temporary license fee, \$150;
- (6) psychological associate license fee for all or part of the initial biennial licensing period, **\$775** [\$550];
- (7) psychological associate biennial license renewal fee, **\$775** [\$550];
- (8) state examination fee, \$50;
- (9) Examination for Professional Practice in Psychology (EPPP), examination retest fee, \$25;
- (10) fee for any courtesy psychologist license, \$200. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; am 2/13/94, Register 129; am 5/17/95, Register 134; am 4/20/97, Register 142; am 11/27/98, Register 148; am 5/5/99, Register 150; am 6/17/2001, Register 158; am 3/25/2004, Register 169; am 8/20/2004, Register 171; am 6/9/2007,

Register 222, July 2017 **PROFESSIONAL REGULATIONS**

Register 182; am 6/28/2009, Register 190; am 5/15/2013, Register 206; am 5 / 19 / 2017,

Register 222)

Authority: AS 08.01.062 AS 08.86.135 AS 08.86.140

AS 08.01.065

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Byron Mallott
Lieutenant Governor
(hand delivery)

Date: April 19, 2017

File No.: JU2017200125

Tel. No.: 465-3600

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

Re: Department of Commerce,
Community, and Economic
Development: Regulation re: 12 AAC
02.330: Occupational Licensing Fees:
Psychologists and Psychological
Associate Examiners

We have reviewed the attached Department of Commerce, Community, and Economic Development: Regulation changes to regulations on professions licensed by the Board of Psychologists and Psychological Associate Examiners.

The Department of Law has reviewed the attached regulations against the statutory standards of the Administrative Procedure Act and we find no legal problems. This memorandum is the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulations were adopted by the Department on April 13, 2017 after the close of the public comment period. The March 3, 2017 public notice and the 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.

We have made minor technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP:srp
cc w/enc: (via email)

Hon. Chris Hladick, Commissioner, Department of Commerce, Community, and Economic Development

Micaela Fowler, Regulations Contact, Department of Commerce, Community, and Economic Development

Janey Hovenden, Director, Div. of Corporations, Business and Professional Licensing, Dept. of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist, Department of Commerce, Community, and Economic Development

Robert C. Auth, Assistant Attorney General, Commercial and Fair Business Section

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR
PROFESSIONS REGULATED BY THE BOARD OF PSYCHOLOGIST AND
PSYCHOLOGICAL ASSOCIATE EXAMINERS 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 psychologists and psychological associates.

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 Board of Psychologist and Psychological Associate Examiners, including the following:

12 AAC 02.330, Board of Psychologist and Psychological Associate Examiners, is proposed to be changed to alter the application, license, and renewal fees for psychologists and psychological associates.

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 Board of Psychologist and Psychological Associate Examiners 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 RegulationsAndPublicComment@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/184880>, and using the comment link. **The comments must be received not later than 5:00 p.m. on April 7, 2017.** Comments received after this deadline will not be considered by the Department.

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 Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofPsychologists.aspx>. 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 March 31, 2017 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or jun.maiquis@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PSY-Fees-0317.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 08.01.062; AS 08.01.065; AS 08.86.135; AS 08.86.140

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.01.065; AS 08.86.135; AS 08.86.140

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

DATE: 3/6/17


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 02.330.
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: \$125 increase for initial license application; \$225 increase for initial biennial license; \$225 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 2017 or in subsequent years.
9. **The name of the contact person for the regulation:**
Janey Hovenden, Director
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-2538
E-mail: janey.hovenden@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. Date: 3/6/17

Prepared by: 
Jun Maiquis
Regulations Specialist
(907) 465-2537

FIRST JUDICIAL DISTRICT

**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 02.330, dealing with occupational licensing fees for professions regulated by the Board of Psychologist and Psychological Associate Examiners, 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.

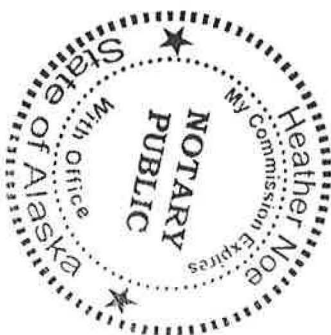
DATE: 4/11/12
Juneau, Alaska

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 11th day of April, 2017.

Notary Public in and for the
State of Alaska

My commission expires: with office



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 for professions regulated by the Board of Psychologist and Psychological Associate Examiners.

DATE:

4/11/12
Juneau, Alaska

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 11th day of April, 2017.



Notary Public in and for the
State of Alaska

My commission expires: with office

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:

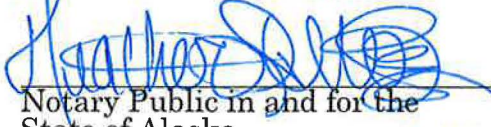
As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Board of Psychologist and Psychological Associate Examiners before adopting changes to the fees in 12 AAC 02.330.

DATE: 4/11/17
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 11th day of April, 2017.



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



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\$468.14

RECEIVED
Juneau

MAR 10 2017

CBPL

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Emma Dunlap
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

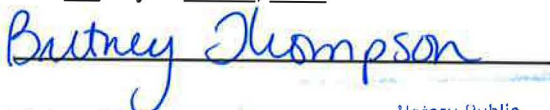
March 07, 2017

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



Subscribed and sworn to before me
this 7th day of March, 2017



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

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019



NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR PROFESSIONS REGULATED BY THE BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

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Statutory Authority: AS 08.01.062; AS 08.01.065; AS 08.86.135; AS 08.86.140

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.01.065; AS 08.86.135; AS 08.86.140

Fiscal Information: The proposed