

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
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530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
L.T.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

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

**FROM:** Scott Meriwether, Office of the Lieutenant Governor  
465.4081 

**DATE:** October 3, 2017

**RE:** Filed Permanent Regulations: Board of Registration for Architects, Engineers, and Land Surveyors

Dept. of Commerce, Community, and Economic Development Regulations re:  
Occupational Licensing Fees for Professions Regulated by the Board of Registration for  
Architects, Engineers, and Land Surveyors (12 AAC 02.110)

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Attorney General File:	JU2017200546
Regulation Filed:	9/29/2017
Effective Date:	10/29/2017
Print:	224, January 2018

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

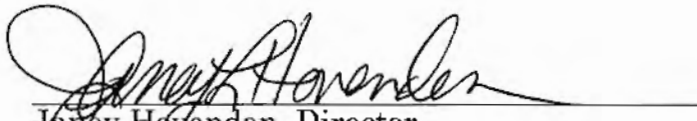
The attached two pages of regulations, dealing with occupational licensing fees for professions regulated by the Board of Registration for Architects, Engineers, and Land Surveyors, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.065 and AS 08.48.265 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.

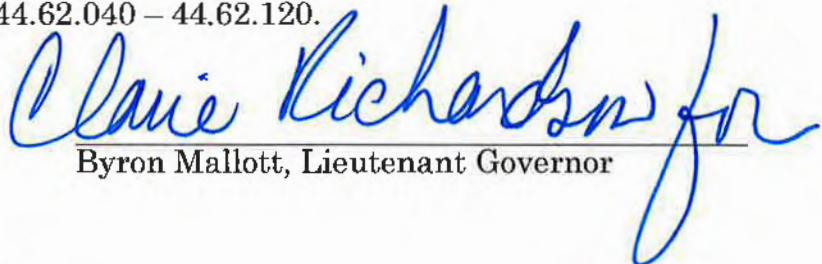
DATE: September 22, 2017  
Juneau, Alaska

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

Claire Richardson for

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on September 29, 2017 at 2:28 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Byron Mallott, Lieutenant Governor

Effective: October 29, 2017

Register: 224, January 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:

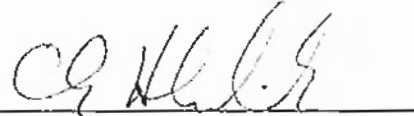
Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
[micaela.fowler@alaska.gov](mailto:micaela.fowler@alaska.gov)

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:

Janey Hovenden  
Director  
CBPL  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
[janey.hovenden@alaska.gov](mailto: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 16<sup>th</sup> day of March, 2015

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

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


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

**I, BYRON MALLOTT, 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:**

**Claire Richardson, Special Assistant**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on January 7<sup>th</sup> 2015.**



  
.....

**BYRON MALLOTT  
LIEUTENANT GOVERNOR**

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

<sup>(a)</sup>  
12 AAC 02.110 is amended to read:

**12 AAC 02.110. Board of Registration for Architects, Engineers, and Land**

**Surveyors.** (a) The following fees are established for architects, engineers, land surveyors, and landscape architects:

(1) application fee for initial registration and corporate, limited liability company, or limited liability partnership certification, \$200 [\$100];

(2) repealed 10 / 29 / 2017 [REVIEW FEE FOR REGISTRATION BY COMITY, \$100];

(3) registration fee for all or part of the initial biennial registration period, \$100 [\$150];

(4) biennial registration renewal fee, \$100 [\$150];

(5) corporation, limited liability company, or limited liability partnership certification fee, for all or part of the biennial certification period, \$300 [\$400];

(6) biennial corporation, limited liability company, or limited liability partnership certification renewal fee, \$300 [\$400];

(7) amendment to corporate, limited liability company, or limited liability partnership certification, \$75;

(8) repealed 11/13/2014;

(9) repealed 10 / 29 / 2017 [EXAMINATION REVIEW FEE, \$100];

(10) retired status registration one-time fee, \$25.

~~(b) The following examination fees are established for land surveyors and landscape~~

((( Publisher: No change to 12 AAC 02.110(b), (c), (d) or (e). )))



architects: \_\_\_\_\_

(1) Alaska Land Surveying Exam (AKLS), \$100;

(2) repealed 11/13/2014.

(c) Repealed 4/19/97.

(d) The examination fees established in this section are due each time an applicant applies for an examination or examination division.

(e) The following fee is established for opening a file for the retention of completed land surveyor work verification forms: \$50<sup>7</sup>. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/4/90, Register 114; am 5/20/92, Register 122; am 9/5/93, Register 127; am 11/3/95, Register 136; am 4/19/97, Register 142; am 7/26/97, Register 143; am 11/29/97, Register 144; am 1/8/98, Register 145; am 11/14/99, Register 152; am 2/2/2001, Register 157; am 8/8/2003, Register 167; am 12/2/2005, Register 176; am 11/18/2006, Register 180; am 6/22/2008, Register 186; am 11/26/2009, Register 192; am 11/30/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am 10 / 29 / 2017, Register 224)

(( Publisher: No  
Change to 2 AAC 02.110  
(b), (c), (d), or (e).)))

**Authority:** AS 08.01.065 AS 08.48.265

# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Byron Mallott  
Lieutenant Governor

Date: September 27, 2017

File No.: JU2017200546

Tel. No.: 465-3600

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

Re: Dept. of Commerce, Community, and  
Economic Development Regulations  
re: Occupational Licensing Fees for  
Professions Regulated by the Board  
of Registration for Architects,  
Engineers, and Land Surveyors  
(12 AAC 02.110)

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 concern occupational licensing fees for professions regulated by the Board of Registration for Architects, Engineer, and Land Surveyors.

Based upon our review, 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. *Please note that the date the regulations will be effective must be handwritten in the spaces provided in two repealed paragraphs.*

The August 18, 2017 public notice and the September 22, 2017 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 some 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:ljm

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  
Jancy Hovenden, Director, Division of Corporations, Business, and Professional Licensing, Department of  
Commerce, Community, and Economic Development  
Jun Maiquis, Regulations Specialist, Division of Corporations, Business, and Professional Licensing, Department of  
Commerce, Community, and Economic Development  
Megyn Greider, Assistant Attorney General, Commercial and Fair Business Section



**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR  
PROFESSIONS REGULATED BY THE BOARD OF REGISTRATION FOR  
ARCHITECTS, ENGINEERS, AND LAND SURVEYORS 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 architects, engineers, land surveyors, and landscape architects.

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

**12 AAC 02.110, Board of Registration for Architects, Engineers, and Land Surveyors**, is proposed to be changed to alter the application, registration, certification, renewal, and review fees for architects, engineers, land surveyors, and landscape architects.

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 Registration for Architects, Engineers, and Land Surveyors 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](mailto: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/186816>, and using the comment link. **The comments must be received not later than 5:00 p.m. on September 20, 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 [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@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/BoardofArchitectsEngineersandLandSurveyors.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](mailto:jun.maiquis@alaska.gov) not later than September 13, 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](mailto:jun.maiquis@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/AELS-Fees-2017.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 08.01.065; AS 08.48.265

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.48.265

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

DATE: 8/17/17

  
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 02.110.
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:** \$100 increase for initial application; \$50 decrease for biennial registration/renewal; \$100 decrease for biennial certification/renewal; Eliminate \$100 review fees for applications by comity and by examination.  
**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 2018 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Sara Chambers, Deputy Director  
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:** 8/17/17

Prepared by: 

Jun Maiquis  
Regulations Specialist  
(907) 465-2537

STATE OF ALASKA }  
FIRST JUDICIAL DISTRICT } 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 02.110, dealing with occupational licensing fees for professions regulated by the Board of Registration for Architects, Engineers, and Land Surveyors, 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.

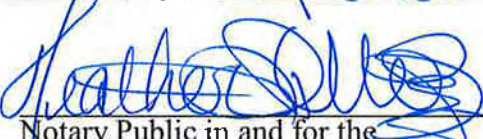
As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on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

DATE: 9/22/17  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 22<sup>nd</sup> day of September, 2017.



  
Notary Public in and for the  
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 for professions regulated by the Board of Registration for Architects, Engineers, and Land Surveyors.

DATE: 9/22/17  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 22 day of September, 2017.

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





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RECEIVED  
Juneau

SEP 05 2017

CBPL

# AFFIDAVIT OF P

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

jolessa stepetin  
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

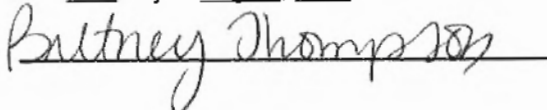
August 18, 2017

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 18th day of August, 2017



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

2/23/2019  
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 REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

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

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**Statutory Authority:** AS 08.01.065; AS 08.48.265

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.48.265

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

DATE: 8/17/17

/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.

Published:

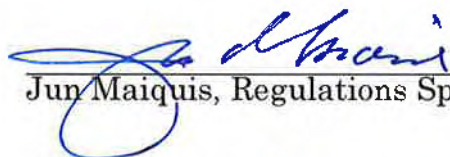
STATE OF ALASKA }  
FIRST JUDICIAL DISTRICT } ss.

**AFFIDAVIT OF DEPARTMENT CONSIDERATION OF  
BOARD RECOMMENDATIONS**

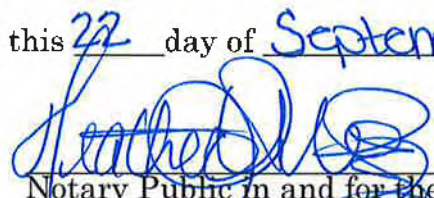
I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Board of Registration for Architects, Engineers, and Land Surveyors before adopting changes to the fees in 12 AAC 02.110.

DATE: 9/22/17  
Juneau, Alaska

  
\_\_\_\_\_  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 22 day of September, 2017.

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

