

Valerie Nurr'araaluk Davidson  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Sher Zinn  
Department of Commerce, Community and Economic Development

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

**DATE:** November 30, 2018

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

Department of Commerce, Community and Economic Development regulations re:  
occupational licensing fees for professions regulated by the Board of Barbers and  
Hairdressers (12 AAC 02.140)

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Attorney General File:	2018200929
Regulation Filed:	11/29/2018
Effective Date:	1/1/2019
Print:	228, January 2019

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 Barbers and Hairdressers, 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 08.13.185, 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.

Considering public comment, 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 described in this order take effect on January 1, 2019, as provided in AS 44.62.180.

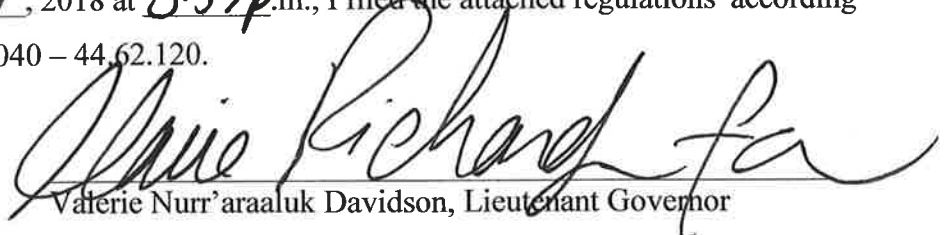
DATE: 21 Nov 2018  
Juneau, Alaska

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

*Claire Richardson for*

FILING CERTIFICATION

I, Valerie Nurr'araaluk Davidson, Lieutenant Governor for the State of Alaska, certify that on  
November 29, 2018 at 3:57p.m., I filed the attached regulations according  
to the provisions of AS 44.62.040 – 44.62.120.

  
Valerie Nurr'araaluk Davidson, Lieutenant Governor

Effective: January 1, 2019.

Register: 228, January 2019.

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

**I, VALERIE NURR'ARAALUK DAVIDSON, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Claire Richardson  
Scott Meriwether  
April Simpson  
Kady Levale**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Anchorage, on October 24,  
2018.**



  
.....  
**VALERIE NURR'ARAALUK DAVIDSON  
LIEUTENANT GOVERNOR**

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

12 AAC 02.140(a)(4) is amended to read:

(4) barber, non-chemical barber, hairdresser, esthetician, advanced manicurist, or instructor written examination fee, \$60;

12 AAC 02.140(a)(5) is amended to read:

(5) barber, non-chemical barber, hairdresser, esthetician, or instructor practical examination fee, \$60;

12 AAC 02.140(a)(7) is amended to read:

(7) written examination fee for practitioners of body piercing, [OR PRACTITIONERS OF] tattooing, or [AND] permanent cosmetic coloring, \$60;

12 AAC 02.140(a)(9) is amended to read:

(9) courtesy license for practitioners of hairdressing, body piercing, [OR FOR PRACTITIONERS OF] tattooing, or [AND] permanent cosmetic coloring, \$80;

12 AAC 02.140(b)(1) is amended to read:

(1) barber, non-chemical barber, or hairdresser, \$180;

12 AAC 02.140(b)(8) is amended to read:

(8) practitioner of tattooing or [AND] permanent cosmetic coloring, \$180;

12 AAC 02.140(b) is amended by adding a new paragraph to read:

(10) practitioner of hair braiding, \$180.

*cc Publisher: To reflect the addition of new 12 AAC 02.140(b)(10), please change the period at the end of 12 AAC 02.140(b)(9) to a semicolon. )))*

12 AAC 02.140(c)(1) is amended to read:

(1) barber, non-chemical barber, or hairdresser, \$180;

12 AAC 02.140(c)(8) is amended to read:

(8) practitioner of tattooing or [AND] permanent cosmetic coloring, \$180;

*cc Publisher: To reflect the addition of new 12 AAC 02.140(c)(10), please change the period at the end of 12 AAC 02.140(c)(9) to a semicolon. )))*

12 AAC 02.140(c) is amended by adding a new paragraph to read:

(10) practitioner of hair braiding, \$180. (Eff. 11/20/86, Register 100; am 10/1/88,

Register 107; am 5/28/93, Register 126; am 5/17/95, Register 134; am 5/30/97, Register 142; am

7/30/99, Register 151; am 11/14/99, Register 152; am 1/14/2001, Register 157; am 6/21/2001,

Register 158; am 12/6/2002, Register 164; am 6/7/2009, Register 190; am 6/28/2009, Register

190; am 8/5/2011, Register 199; am 5/15/2013, Register 206; am 8/15/2015, Register 215; am

8/16/2015, Register 215; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am

1 / 1 / 2019, Register 228)

**Authority:** AS 08.01.065 AS 08.13.185


# MEMORANDUM

## State of Alaska Department of Law


**To:** The Honorable Valerie Nurr'araaluk Davidson  
Lieutenant Governor

**Date:** November 28, 2018

**File No.:** 2018200929

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

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

**From:** Steven C. Weaver   
Senior Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

**Re:** Department of Commerce,  
Community, and Economic  
Development regulations re:  
occupational licensing fees for  
professions regulated by the Board of  
Barbers and Hairdressers (12 AAC  
02.140)

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. 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. The regulations were adopted by the Department of Commerce, Community, and Economic Development after the close of the public comment period. To reflect amendments to AS 08.13.185(a) enacted under sec. 22, ch. 23, SLA 2018 (HCS CSSSSB 4(RLS)), the regulations are an update to occupational licensing fees for professions regulated by the Board of Barbers and Hairdressers.

The October 17, 2018 public notice and the November 21, 2018 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 note that the adoption order has a special effective date of January 1, 2019, timed to the January 1, 2019 effective date for the relevant provisions of ch. 23, SLA 2018. To meet the special effective date, we request that the regulations be filed not later than November 30, 2018.

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.

SCW

cc w/enc:

Honorable Mike Navarre, Commissioner  
Department of Commerce, Community, and Economic Development

Sara Chambers, Acting Director  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Sher Zinn, Regulations Contact  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Contact  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Harriet Dinegar Milks, Senior Assistant Attorney General  
Commercial, Fair Business, and Child Support Section

**Notice of Proposed Changes to Occupational Licensing Fees for Professions Regulated by  
the Board of Barbers and Hairdressers in the Regulations of the Department of Commerce,  
Community, and Economic Development**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to add fees to implement amendments to AS 08.13 enacted under Chapter 23, SLA 2018 (SB 4).

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, including the following:

**12 AAC 02.140. Board of Barbers and Hairdressers**, is proposed to add fees for the application, courtesy license, biennial license and renewal fees for non-chemical barber, hair braider and permanent cosmetic coloring licenses.

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.

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 Sher Zinn, 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/191815>, and using the comment link. **The comments must be received not later than 5:00 p.m. on November 19, 2018.**

You may submit written questions relevant to the proposed action to Sher Zinn, 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 Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofBarbersHairdressers.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 Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than November 13, 2018, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BAH-Fees-1018.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 08.13.185

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.13.185





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

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

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, AK 99811-0800  
Main: 907.465.2500  
Fax: 907.465.5442

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:

Linda Mattson  
Administrative Specialist  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2500  
[linda.mattson@alaska.gov](mailto:linda.mattson@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  
Acting 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 1<sup>st</sup> day of November, 2018

A handwritten signature in dark ink, appearing to read "Mike Navarre".

Mike Navarre  
Commissioner  
Department of Commerce, Community,  
and Economic Development

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

DATE: 10/17/18

  
Sher Zinn, 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 02.140.
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:** \$60 written and practical exam fees, \$150 non-refundable application fee, \$80 courtesy license fee, \$180 biennial license and renewal fees for new license types.  
**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 2019 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Sher Zinn, Regulations Specialist  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-1049  
E-mail: [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov)
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 10/17/18

**Prepared by:**   
Sher Zinn  
Regulations Specialist  
(907) 465-1049

# ANCHORAGE DAILY NEWS

RECEIVED  
Juneau  
OCT 26 2018

CBPL

## AFFIDAVIT OF PUBLICATION

Account #: 268972

ST OF AK/DEC/OCCU

PO BOX 110806

JUNEAU, AK 998110806

Order#

0001429186

Cost

\$498.02

Product

ADN-Anchorage Daily News

Placement

0300

Position

0301

### STATE OF ALASKA THIRD JUDICIAL DISTRICT

Sarah Jennett

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily 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

October 17, 2018

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

Sarah Jennett

Subscribed and sworn to before me  
this 17th day of October, 2018

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 Barbers and Hairdressers 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, dealing with occupational licensing fees, including the following:

**12 AAC 02.140. Board of Barbers and Hairdressers**, is proposed to add fees for the application, courtesy license, biennial license and renewal fees for non-chemical barber, hair braider and permanent cosmetic coloring licenses.

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.

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 Sher Zinn, 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/191815> and using the comment link. **The comments must be received not later than 5:00 p.m. on November 19, 2018.**

Mildtown - 2bd/1ba, No S/P,

Call 764-7464

Handicap accessible ramp, ASHA OK

East Anchorage, No pets,

3 BR, Duplex side by side

Handicap accessible

\$1700 + G&E, \$1000 SD

pet, fresh paint, \$1,500, de-

to JBER, laminate fir, new car-

bdm duplex, east side, 5 miles

2 - nice 2 story, 1100 sq. ft. 2

mtn views, \$2,300, deposit, util.

Wrap decks, manicured lawn,

South Anch off Turnagain Arm,

open concept 3 bdrm 2ba,

2 Homes 4 Rent 1 - beautiful

6325

Homes for Rent

\$369,000 FSBO 907-632-3500

can pick out finishes!

in drywall stage - if you hurry,

driveway, granite counter tops,

lot, complete remodel, concrete

1400 sqft, 3bd, 2ba, 1 car gar, lg

Near Downtown Ranch - 148 W. 23rd

Anchorage 6125

Homes for Sale

Call: 907-244-1844

History.

Stable Work

util. included.

STATE OF ALASKA                    )  
  ) ss.  
FIRST JUDICIAL DISTRICT        )

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

I, Sher Zinn, 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 02.140, dealing with occupational licensing fees for professions regulated by the Board of Barbers and Hairdressers has been given by being:

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
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);

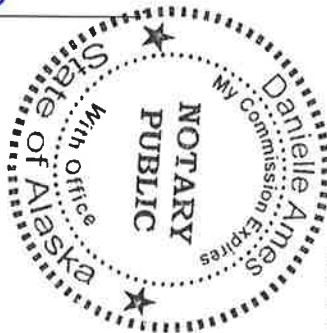
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 11/27/18

Sher Zinn  
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau Alaska on 11.27.2018

(date)



D. Ames  
Notary Public in and for the State of Alaska  
My commission expires 11/01/2021



STATE OF ALASKA                     )  
   ) ss.  
FIRST JUDICIAL DISTRICT    )

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

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

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 fees for the Board of Barbers and Hairdressers

Date: 11/28/18

Sher Zinn  
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Tuneau, Alaska on  
November 28<sup>th</sup>, 2018.

(date)



Glenn A. Hoskinson  
Notary Public in and for the State of Alaska  
My commission expires: w/ office

STATE OF ALASKA

)

) ss.

**FIRST JUDICIAL DISTRICT )**

AFFIDAVIT OF DEPARTMENT CONSIDERATION OF

## BOARD RECOMMENDATIONS

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

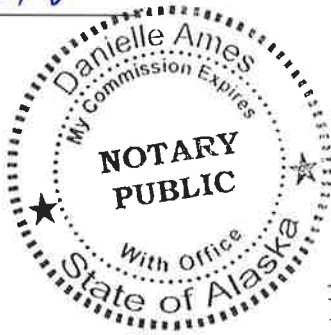
As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Board of Barbers and Hairdressers before adopting changes to the fees in 12 AAC 02.140.

Date: 11/27/18

  
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau Alaska on 11-27-2018

(date)



Notary Public in and for the State of Alaska  
My commission expires: 11/01/19