

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




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

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Debbie Morgan
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: June 26, 2019

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

Department of Commerce Community and Economic Development regulations re:
occupational licensing fees for Dietitians and Nutritionists (12 AAC 02.195)

Attorney General File:	2019200345
Regulation Filed:	6/26/2019
Effective Date:	7/26/2019
Print:	231, October 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 one page of regulations, dealing with occupational licensing fees for dietitians and nutritionists regulated by the Department of Commerce, Community, and Economic Development, 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 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.38.020, AS 08.38.030, 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 described in 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: 6 June 2019
Juneau, Alaska


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

FILING CERTIFICATION

April Simpson for

I, [^]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on June 26th, 2019 at 10:35 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Kevin Meyer, Lieutenant Governor

Effective: July 26, 2019.

Register: 231, October 2019.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, 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:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER
LIEUTENANT GOVERNOR**



THE STATE
of ALASKA

GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800
Juneau, Alaska 99811-0800
Main: 907.465.2500
Toll free fax: 907.465.2500

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Alcohol and Marijuana Control Office (AMCO), but for the Division of Corporations, Business and Professional Licensing (CBPL), under the Alaska Administrative Procedure Act, is hereby delegated to:

Sara Chambers
Division Director
Division of Corporations, Business and Professional Licensing
DCCED
P.O. Box 110806
Juneau, AK 99811-0806
907-465-2536
sara.chambers@alaska.gov

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Alcohol and Marijuana Control Office, under the Alaska Administrative Procedure Act, is hereby delegated to:

Shawn Williams
Assistant Commissioner
DCCED
550 West Seventh Avenue, Suite 1535
Anchorage, AK 99501
907-269-8100
shawn.williams@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 30th day of April, 2019

A handwritten signature in dark ink, appearing to read "Julie Anderson", written over a horizontal line.

Julie Anderson
Commissioner
Department of Commerce, Community,
and Economic Development

12 AAC 02.195 is amended to read:

12 AAC 02.195. Dietitians and nutritionists. The following fees are established for dietitians and nutritionists:

- (1) application fee for initial license, \$100;
- (2) license fee for all or part of the initial biennial license period, \$50 [\$125];
- (3) biennial license renewal fee, \$50 [\$125]. (Eff. 11/14/99, Register 152; am 12/16/2001, Register 160; am 12/27/2007, Register 184; am 11/26/2009, Register 192; am 11/20/2015, Register 216; am 7 / 26 / 2019, Register 231)

Authority: AS 08.01.010 AS 08.01.100 AS 08.38.030
AS 08.01.065 AS 08.38.020

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: June 21, 2019

File No.: 2019200345

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

Tel. No.: 465-3600

From: Samantha Weinstein *SW*
Assistant Attorney General
Legislation and Regulations Section

Re: Department of Commerce
Regulation re: 12 AAC 02.195: Occ
Licensing Fees for Dietitians and
Nutritionists

The Department of Law has reviewed the attached regulations of the Department of Commerce 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 after the close of the public comment period. The regulations concern reducing the biennial occupational licensing fees for dietitians and nutritionists.

The April 24, 2019, public notice and the June 6, 2019, 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.

No corrections were required.

SRP:sjw

cc: Honorable Julie Anderson, Commissioner
Department of Commerce, Community & Economic Development
Sara Chambers, Director, Division of Corporations, Business, and Professional Licensing
Sher Zinn, Regulations Specialist, Division of Corporations, Business, and Professional Licensing

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR
DIETITIANS AND NUTRITIONISTS 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 dietitians and nutritionists.

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 dietitians and nutritionists, including the following:

12 AAC 02.195, Dietitians and nutritionists, is proposed to be changed to decrease the biennial license and renewal fees for dietitians and nutritionists.

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. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/193943>, and using the comment link. **The comments must be received not later than 4:30 p.m. on May 29, 2019.** Comments received after this deadline will not be considered by the Department.

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. **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/DietitiansNutritionists.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 not later than May 22, 2019, 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, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/DTN-Fees-0419.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 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.38.020, AS 08.38.030

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.38.020, AS 08.38.030

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

DATE: 4/24/19

Sher Zinn
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 02.195.
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: \$75 decrease in the initial biennial license and renewal fees.
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 2020 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: sher.zinn@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 4/24/19 **Prepared by:** Sher Zinn
Sher Zinn
Regulations Specialist
(907) 465-1049

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 02.195, dealing with occupational licensing fees for dietitians and nutritionists, regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing 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: 6/12/19


Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Ak on
6-12-19

(date)




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, 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:

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 Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.

Date: 6/12/19

Sher Zinn
Sher Zinn, Regulations Specialist

Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on 6-12-19.

(date)



Jean Bennett
Commission Expires

**NOTARY
PUBLIC**

With Office
te of Alaska

State of Alaska

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

Notary Public in and for the State of Alaska

My commission expires: with office

ANCHORAGE DAILY NEWS

RECEIVED
Juneau
JUN 12 2019

CBPL

AFFIDAVIT OF PUBLICATION

Account #: 268972

Order #: 0001437290

Cost: \$478.10

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Joleesa Stepetin
being first duly sworn on oath
deposes and says that 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

April 24, 2019

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 Joleesa Stepetin

Subscribed and sworn to before

me this 6 day of June
20 19

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

7/14/2020

STATE OF ALASKA
NOTARY

PUBLIC

Jada L. Nowling

NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR DIETITIANS AND NUTRITIONISTS IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

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Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.38.020, AS 08.38.030

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

DATE: 4/23/19

/s/ Sher Zinn, Regulations Specialist
Division of Corporations, Business and
Professional Licensing