

NOTICE OF PROPOSED CHANGES MECHANICAL ADMINISTRATOR LICENSING IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes changes to the regulations for licensing and examinations for Mechanical Administrators.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 39 of the Alaska Administrative Code, dealing with mechanical administrator licensing, including the following:

1. **12 AAC 39.012. Application for licensure by examination**, is proposed to be amended to allow for self-certification of requisite qualifications for licensure, removing the requirement for a resume and certificates in support of those qualifications.
2. **12 AAC 39.022. Application for licensure by credentials**, is proposed to be amended to allow for self-certification of requisite qualifications for licensure, removing the requirement for a resume and certificates in support of those qualifications.
3. **12 AAC 39.033. Reexamination**, is proposed to be added as a new section limiting the number of times a written exam can be taken to no more than three times in a 12 month period.

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 Alison Osborne, 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 <https://notice.alaska.gov/208901>, and using the comment link. **The comments must be received not later than 4:30 p.m. on December 28, 2022.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Alison Osborne, 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/MechanicalAdministrators.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 Alison Osborne at (907) 465-6826 or RegulationsAndPublicComment@alaska.gov not later than December 21, 2022, 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 Alison Osborne at (907) 465-6826 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/MEC-1122.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 08.40.230, AS 08.40.240, AS 08.40.250, AS 08.40.260, AS 08.40.270, AS 08.40.310

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.40.230, AS 08.40.240, AS 08.40.250, AS 08.40.260, AS 08.40.270, AS 08.40.310

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

DATE: 11/21/2022

/s/
Alison Osborne, 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:** Mechanical Administrator licensing requirements.
3. **Citation of regulation:** 12 AAC 39.012, 12 AAC 39.022, and 12 AAC 39.033
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations and compliance with state statutes.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: None known.
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 2023 or in subsequent years.
9. **The name of the contact person for the regulation:**

Alison Osborne, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-6826
E-mail: alison.osborne@alaska.gov

10. The origin of the proposed action: Division of Corporations, Business and Professional Licensing.

11. Date: 11/21/2022

Prepared by: _____
Alison Osborne
Regulations Specialist
(907) 465-6826