

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 02.105(6) is amended to read:

(6) returned check fee, **\$30** [\$20];

12 AAC 02.105(9) is repealed:

(9) repealed ____ / ____ / ____ [WALL CERTIFICATE FEE, \$20];

12 AAC 02.105(12) is repealed:

(12) repealed ____ / ____ / ____ [EXPRESS DELIVERY HANDLING FEE, \$20];

12 AAC 02.105(13) is repealed:

(13) repealed ____ / ____ / ____ [FEE FOR PROVIDING THE MOST RECENTLY PRINTED ROSTER OF ALL LICENSEES IN A LICENSING PROGRAM, OTHER THAN BUSINESS LICENSING, WITH

(A) 2,000 OR LESS LICENSEES, \$5;

(B) MORE THAN 2,000 LICENSEES, \$15;

(C) REPEALED 3/25/2004];

12 AAC 02.105 is amended by adding a new paragraph to read:

(19) nonrefundable fingerprint processing fee, \$75. (Eff. 9/27/86, Register 99; am 11/20/86, Register 100; am 4/3/88, Register 105; am 5/28/93, Register 126; am 2/13/94, Register

129; am 12/28/97, Register 144; am 11/27/98, Register 148; am 6/13/2002, Register 162; am 3/25/2004, Register 169; am 5/14/2021, Register 238; am ____/____/_____, Register _____)

Authority: AS 08.01.062 AS 08.01.065 AS 08.01.100

((Publisher: please replace the period that follows 12 AAC 02.105(18) with a semicolon.))

12 AAC 02.110 is amended by adding a new subsection to read:

(f) The following fee is established for a landscape architect examination eligibility application: \$50. (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; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.01.065 AS 08.01.100 AS 08.48.265

12 AAC 02.160(a) is amended by adding a new paragraph to read:

(9) nonrefundable fingerprint processing fee, as set out under 12 AAC 02.105(19). (Eff. 9/27/86, Register 99; am 10/1/88, Register 107; am 5/28/93, Register 126; am 4/20/96, Register 138; am 4/11/98, Register 146; am 11/14/99, Register 152; am 6/13/2002, Register 162; am 6/4/2008, Register 186; am 6/16/2010, Register 194; am 5/18/2014, Register 210; am 3/13/2020, Register 233; am ____/____/_____, Register _____)

Authority: AS 08.01.065 AS 08.24.135 AS 08.24.370

AS 08.01.100

((Publisher: please replace the period that follows 12 AAC 02.160(8) with a semicolon.))

12 AAC 02.225(5) is amended to read:

(5) nonrefundable fingerprint processing fee, **as set out under 12 AAC**

02.105(19) [\$59]. (Eff. 1/1/2005, Register 172; am 12/9/2010, Register 196; am 12/2/2012, Register 204; am ___/___/_____, Register _____)

Authority: AS 08.01.065 AS 08.26.060

12 AAC 02.280(10) is amended to read:

(10) nonrefundable fingerprint processing fee, **as set out under 12 AAC**

02.105(19) [\$75];

(Eff. 3/6/86, Register 97; am 12/13/87, Register 104; am 6/23/90, Register 114; am 5/20/92, Register 122; am 5/28/93, Register 126; am 2/13/94, Register 129; am 7/28/95, Register 135; am 7/25/96, Register 139; am 8/26/98, Register 147; am 8/10/2000, Register 155; am 6/21/2001, Register 158; am 6/13/2002, Register 162; am 6/16/2002, Register 162; am 11/19/2008, Register 188; am 7/7/2010, Register 195; am 2/20/2014, Register 209; am 8/10/2016, Register 219; am 8/1/2018, Register 227; em am 4/16/2020 – 8/13/2020, Register 234; am 11/30/2020, Register 237; am 4/21/2022, Register 242; am ___/___/_____, Register _____)

Authority: AS 08.01.010 AS 08.01.065 AS 08.68.220
AS 08.01.062 AS 08.01.100

12 AAC 02.282(7) is amended to read:

(7) nonrefundable fingerprint processing fee, **as set out under 12 AAC**

02.105(19) [\$75]. (Eff. 8/26/98, Register 147; am 5/5/99, Register 150; am 2/26/2000, Register 153; am 6/16/2002, Register 162; am 3/7/2008, Register 185; am 1/30/2010, Register 193; am 2/20/2014, Register 209; am 8/1/2018, Register 227; am ____/____/_____, Register _____)

Authority: AS 08.01.010 AS 08.01.065 AS 08.68.336

12 AAC 02.380 is amended by adding a new paragraph to read:

(4) nonrefundable fingerprint processing fee, as set out under 12 AAC 02.105(19).

(Eff 7/1/2011, Register 198; am 11/30/2013, Register 208; am 8/23/2019, Register 231; am ____/____/_____, Register _____)

Authority: AS 08.01.065 AS 08.76.110 AS 08.76.140

((Publisher: please replace the period that follows 12 AAC 02.380(3) with a semicolon.))

12 AAC 02.390(7) is amended to read:

(7) nonrefundable fingerprint processing fee, **as set out under 12 AAC**

02.105(19) [\$75]. (Eff. 12/26/2014, Register 212; am 8/24/2016, Register 219; am 8/1/2018, Register 227; am 7/4/2020, Register 235; am ____/____/_____, Register _____)

Authority: AS 08.01.010 AS 08.15.020 AS 08.15.080
AS 08.01.065

12 AAC 02.396(4) is amended to read:

(4) nonrefundable fingerprint processing fee, **as set out under 12 AAC**

02.105(19) [\$60];

(Eff. 8/1/2015, Register 215; am 6/14/2017, Register 222; am 3/25/2020, Register 233; am 6/6/2021, Register 238; am ____/____/_____, Register _____)

Authority: AS 08.01.010 AS 08.61.020 AS 08.61.090
AS 08.01.065

12 AAC 02.400(c) is amended to read:

(c) **An** [ALL] examination **review** [REVIEWS] will be conducted in the presence of **an appropriate board member**, division staff, or the division's designee at **a** [THE] time and location determined by the division. An examination review will not be conducted within 30 days of the next examination **an** [THE] applicant is scheduled to take.

12 AAC 02.400(e) is amended to read:

(e) An applicant may use the same reference materials during an examination review that were allowed during the examination itself, but **the applicant** [applicants] may not use other materials or take notes or make copies of any kind. All materials brought to an examination review are subject to inspection by the **appropriate board member or** division staff.

(Eff. 4/3/88, Register 105; am 12/28/97, Register 144; am 11/27/98, Register 148; am 12/2/99, Register 152; am ____/____/_____, Register _____)

Authority: AS 08.01.050 AS 08.01.080

12 AAC 02.935 is amended by adding a new subsection to read:

(c) If an initial license is issued within 90 days of the upcoming expiration date for that license type, the license expiration date will be set to expire at the end of the next biennial

licensing period. (Eff. 9/29/2005, Register 175; am 5/14/2021, Register 238, am
____/____/____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100

12 AAC 02 is amended by adding a new section to read:

12 AAC 02.945. Effective date of reinstated license. If a license is reinstated within 90 days of the upcoming expiration date for that license type, the license expiration date will be set to expire at the end of the next biennial licensing period. (Eff. ____/____/____, Register _____)

Authority: AS 08.01.050 AS 08.01.100

12 AAC 02.956(b)(3) is amended to read:

(3) a copy of the [APPLICANT'S MILITARY DEPENDENT IDENTIFICATION CARD AND A COPY OF THE] spouse's current active duty military orders showing assignment to a duty station in this state;

(Eff. 5/14/2021, Register 238; am ____/____/____, Register _____)

Authority: AS 08.01.050 AS 08.01.063 AS 08.01.065

12 AAC 02.960(c) is amended to read:

(c) [EXCEPT AS PROVIDED IN (D) OF THIS SECTION, THE] **The** department will **audit a percentage of licensees under (a) of this section that it deems appropriate and necessary to protect public health and safety. The department's selection of licensees for**

audit must be random [SELECT LICENSEES FOR AUDIT UNDER (A) OF THIS SECTION AS FOLLOWS:

- (1) TEN PERCENT OF THE TOTAL NUMBER OF LICENSEES IN THAT PROFESSION IF THE TOTAL NUMBER OF LICENSEES IS LESS THAN 3,000; OR
- (2) FIVE PERCENT OF THE TOTAL NUMBER OF LICENSEES IN THAT PROFESSION IF THE TOTAL NUMBER OF LICENSEES IS 3,000 OR MORE].

12 AAC 02.960(d) is repealed:

(d) Repealed ____ / ____ / ____ [THE DEPARTMENT WILL REQUIRE THAT A DIFFERENT PERCENT OF LICENSEES BE SELECTED FOR AUDIT, IF THE BOARD THAT REGULATES THE PROFESSION, OR THE DEPARTMENT FOR A PROFESSION NOT REGULATED BY A BOARD OR COMMISSION, FINDS THAT A DIFFERENT PERCENT TO BE AUDITED IS NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY].

12 AAC 02.960(e) is amended to read:

(e) A licensee selected for audit under [(c) OR (d) OF] this section will be notified by the department. Within 30 days of **the date on the** notification, the licensee shall submit to the department [,] documentation **that verifies the licensee's** [TO VERIFY] completion of the continuing competency activities claimed on the statement submitted with the application for license renewal **under (b) of this section**. The documentation must include a valid copy of a certificate or similar verification of satisfactory completion of the continuing competency activities claimed that provides

(1) the name of the licensee;

(2) the **number** [AMOUNT] of continuing competency **credits** [CREDIT]

awarded;

(3) a description of the continuing competency activity;

(4) the dates of actual participation or successful completion; **and**

(5) the name and **Internet address or physical** mailing address of the **course provider**, instructor, sponsor, or other **entity** [VERIFIER] **that the department may contact, as needed, to verify the licensee's attendance** [; AND

(6) THE INTERNET ADDRESS OF AN ONLINE PROVIDER THAT CAN VERIFY INDIVIDUAL STUDENT ATTENDANCE].

(Eff. 12/28/97, Register 144; am 9/29/2005, Register 175; am 5/14/2021, Register 238; am ___/___/_____, Register _____)

Authority: AS 08.01.050 AS 08.01.087 AS 08.01.100
AS 08.01.080

12 AAC 02.965(b) is amended to read:

(b) For the purposes of this section, "continuing education credits" includes continuing competency, contact hours, continuing education units [(CEU'S)], and credit hours. (Eff. 3/14/2001, Register 157; am 5/14/2021, Register 238; am ___/___/_____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100

12 AAC 02.990 is amended to read:

12 AAC 02.990. Definitions. As used in this chapter

(1) "department" means the Department of Commerce, Community, and Economic Development;

(2) "division" means the **Division of Corporations, Business and Professional Licensing** [DIVISION ASSIGNED OCCUPATIONAL LICENSING FUNCTIONS IN THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT];

(3) "license" means a license, certificate, permit, registration, **endorsement**, or similar evidence of authority issued by the division or by one of the boards listed in AS 08.01.010;

(4) "licensee" means a person who holds a license, **as defined under 12 AAC 02.990(3)** [ISSUED BY THE DIVISION OR BY ONE OF THE BOARDS LISTED IN AS 08.01.010]. (Eff. 12/5/84, Register 92; am 12/7/2006, Register 180; am ___/___/_____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100