

Nancy Dahlstrom  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** December 20, 2023

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

Department of Commerce, Community, and Economic Development regulations re:  
Occupational Licensing Fees - Board of Pharmacy (12 AAC 02.310)

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Attorney General File:	2023200337
Regulation Filed:	12/20/2023
Effective Date:	1/19/2024
Print:	249, April 2024

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Sylvan Robb, Division Director  
Alison Osborne, Regulations Specialist  
Stefanie Davis, Regulations Specialist



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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December 15, 2023

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *12 AAC 02.310 - Occupational Licensing Fees - Pharmacy*  
Our file: 2023200337

Dear Lieutenant Governor Dahlstrom:

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 letter 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.

Reflecting the enactment of ch. 155, SLA 23 ((CSHB 112(L&C) am) and related changes to AS 08.80, the regulations delete language referencing registration, establish the fee for a retired status pharmacist license, and establish a fingerprint processing fee.

The October 17, 2023, public notice and the December 8, 2023, certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

So that these regulations become effective as close as possible to the November 26, 2023, effective date of the related legislation, we respectfully request that

these regulations be filed as soon as possible and ideally on the same day as the related substantive professional licensing regulations (Department of Law file number 2023200336).

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2023.12.15  
10:26:28 -09'00'

RCP/SCW

CC w/enclosure: Stefanie Davis, Regulations Specialist  
Department of Commerce, Community and Economic Development

Harriet D. Milks, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached two pages of regulations, dealing with updating regulations language for occupational license fees for the Board of Pharmacy to remove all language referencing registrations and to add retired status pharmacist license fee and fingerprint processing fee, 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, AS 08.80.030, AS 08.80.159, and AS 08.80.160 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 30<sup>th</sup> day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 12/8/2023

DocuSigned by:



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Sylvan Robb, Director  
Division of Corporations, Business and  
Professional Licensing

*April Simpson for*

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on \_\_\_\_\_  
December 20, 2023 at 11:05 a.m., I filed the attached regulations  
according to the provisions of AS 44.62.040 – 44.62.120.



Nancy Dahlstrom, Lieutenant Governor

Effective: January 19, 2024.

Register: 249, April 2024.

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

**I, NANCY DAHLSTROM, 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:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

12 AAC 02.310(a) is amended by adding a new paragraph to read:

(5) nonrefundable fingerprint processing fee under 12 AAC 02.105(19).

((Publisher: Please change the period at the end of 12 AAC 02.310(a)(4) to a semicolon.))

The introductory language of 12 AAC 02.310(b) is amended to read:

(b) The following license [AND REGISTRATION] fees for all or part of the initial biennial licensing [OR REGISTRATION] period and subsequent biennial license [AND REGISTRATION] renewal fees are established for pharmacists, pharmacy technicians, remote and other pharmacies, wholesale drug distributors, outsourcing facilities, third-party logistics providers, and manufacturers:

...

12 AAC 02.310(b)(5) is amended to read:

(5) [REGISTERED] pharmacy located outside of the state, \$550;

12 AAC 02.310(b) is amended by adding a new paragraph to read:

(12) retired status pharmacist license one-time fee, \$100. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; am 10/19/97, Register 144; am 10/28/2000, Register 156; am 6/13/2002, Register 162; am 6/23/2004, Register 170; am 2/15/2006, Register 177; am 5/18/2006, Register 178; am 6/11/2010, Register 194; am 5/18/2014, Register 210; am 10/31/2019, Register 232; am 5/14/2022, Register 242; am 7/15/2023, Register 247; am 1 / 19 / 2024, Register 249)

Register 249, April 2024 PROFESSIONAL REGULATIONS

**Authority:** AS 08.01.065 AS 08.80.159 AS 08.80.160

**AS 08.80.030**

(((Publisher: Please change the period at the end of 12 AAC 02.310(b)(11) to a semicolon.)))