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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Jun Maiquis, AAC Contact
Department of Commerce, Community and Economic Development

FROM: Scott Meriwether
Special Assistant 
907.465.4081

DATE: February 24, 2015

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

Regulations re: Regulations re: business licenses, identification of lines of business, payment of fees, and corrections of clerical errors (12 AAC 12.010(a),(b); 12 AAC 020(a),(h); 12 AAC 12.030(2),(9); 12 AAC 12.050; 12 AAC 12.990(6))

| | |
|------------------------|-------------------|
| Attorney General File: | JU2014200950 |
| Regulation Filed: | February 24, 2015 |
| Effective Date: | March 26, 2015 |
| Print: | 213, April 2015 |

cc with enclosures: Micaela Fowler, Commerce, Community and Economic Development
Linda Miller, Department of Law
Dean Williams, Administrative Regulation Review Committee
Judy Herndon, LexisNexis

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

The attached five pages of regulations, dealing with business license, application for business license, change in business license, and definitions, 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 08.01.050, AS 08.01.060, AS 08.01.065, AS 08.01.080, AS 08.01.100, AS 08.55.010, AS 08.70.075, AS 43.70.020, AS 43.70.030, AS 43.70.075, AS 43.70.090, AS 43.70.105, and AS 43.70.110 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.

Although no public comments were received, 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 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

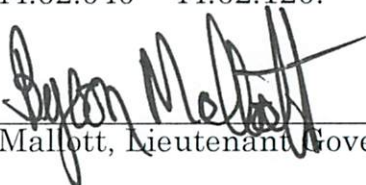
DATE:

2/18/15
Juneau, Alaska


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

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on Feb 24, 2015 at 10:20 A. m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: March 26, 2015.

Register: 213, April 2015.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

OFFICE OF THE COMMISSIONER

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**ALASKA DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

Delegation of Authority

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:

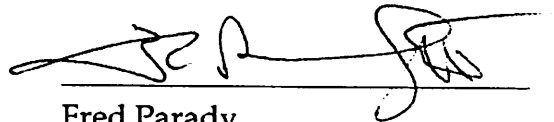
Micaela Fowler
Legislative Liaison
Office of the Commissioner
DCCED
P.O. Box 110800
Juneau, AK 99811-0800
907-465-2503
micaela.fowler@alaska.gov

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
Director
CBPL
DCCED
P.O. Box 110806
Juneau, AK 99811-0806
907-465-2538
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 2nd day of December, 2014

A handwritten signature in black ink, appearing to read 'Fred Parady', is written over a horizontal line.

Fred Parady
Acting Commissioner
Department of Commerce, Community,
and Economic Development

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12 AAC 12.010(a)(1) is amended to read:

(1) annual license period, is \$50 if a person seeks an annual license, except that the fee is \$25 if the person seeks an annual license for which the fee is reduced under AS 43.70.030(a)(1) or (2) [AS 43.70.030(a)(1) AND (2)]; or

12 AAC 12.010(a)(2) is amended to read:

(2) biennial license period [PERSON], is \$100 if a person seeks a biennial license, except that the fee is \$50 if the person seeks a biennial license for which the fee is reduced under AS 43.70.030(a)(1) or (2) [AS 43.70.030(a)(1) AND (2)].

12 AAC 12.010(b) is amended to read:

(b) The business license renewal fee is \$50 if a person seeks to renew for the next annual license period, or \$100 if a person seeks to renew for the next biennial license period, except that the business license renewal fee is \$25 if the person seeks to renew, for the next annual license period, a license for which the fee is reduced under AS 43.70.030(a)(1) or (2) [AS 43.70.030(a)(1) AND (2)], or \$50 if the person seeks to renew, for the next biennial license period, a license for which the fee is reduced under AS 43.70.030(a)(1) or (2) [AS 43.70.030(a)(1) AND (2)]. Notwithstanding 12 AAC 02.020 and 12 AAC 02.030, the department will not prorate the first license renewal fee for a business license following initial licensure.

(Eff. 3/11/89, Register 109; am 11/4/98, Register 148; am 6/27/2004, Register 170; am 12/13/2009, Register 192; am 3/26/2015, Register 213)

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Authority: AS 08.01.010 AS 43.70.020 AS 43.70.075
AS 08.01.065 AS 43.70.030 AS 43.70.090
AS 08.01.100

12 AAC 12.020(a) is amended to read:

(a) A [SEPARATE] business license is required for each [LINE OF] business **name**
under [IN] which the applicant seeks to engage **in business** in the state.

12 AAC 12.020(h) is repealed:

(h) Repealed 3/26/2015.

(Eff. 11/4/98, Register 148; am 3/26/2015, Register 213)

Authority: AS 08.55.010 AS 43.70.090 AS 43.70.110
AS 43.70.020 AS 43.70.105

12 AAC 12.030(2) is amended to read:

(2) **each primary and each secondary** [THE] line of business to be conducted;
any line of business subject to licensing provisions of a regulatory nature under
AS 43.70.020(d) shall be listed as a primary or secondary line of business under
AS 43.70.020(a)(2);

12 AAC 12.030 is amended by adding a new paragraph to read:

(9) the applicant's date of birth, if the applicant is a sole proprietor who seeks a

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business license or renewal for which the fee is reduced under AS 43.70.030(a)(1), or a copy of documentation from the United States Department of Veterans Affairs that the applicant is a veteran with a service-connected disability, if the applicant is a sole proprietor who seeks a business license or renewal for which the fee is reduced under AS 43.70.030(a)(2). (Eff. 11/4/98, Register 148; am 6/27/2004, Register 170; am 3/26/2015, Register 213)

| | | | |
|-------------------|--------------|---------------------|--------------|
| Authority: | AS 08.01.050 | AS 43.70.020 | AS 43.70.075 |
| | AS 08.01.060 | <u>AS 43.70.030</u> | AS 43.70.090 |
| | AS 08.01.080 | | |

12 AAC 12.050(a) is amended to read:

(a) A new business license under 12 AAC 12.030 is required if

(1) [THERE IS A CHANGE IN] the name of the business changes, unless the change is limited to the addition or removal of a

(A) professional title of a business owner used in the name of the business; or

(B) word describing the legal form of organization of the business and the ownership of the business has not changed; or

(2) [THE ACTIVITIES OF THE BUSINESS ARE NO LONGER WITHIN THE LINE OF BUSINESS SPECIFIED ON THE BUSINESS LICENSE; OR

(3) THERE IS A CHANGE IN] the ownership of the business changes.

12 AAC 12.050(b) is amended to read:

(b) If the business license holder submits the fee specified in 12 AAC 02.105(3) along with the updated information on a form provided by the department, the department will update a business license to show a change in

- (1) the business license holder's legal name; or
- (2) the business name as described in (a)(1)(A) or (B) of this section [; OR
- (3) THE ADDRESS OF THE BUSINESS].

12 AAC 12.050 is amended by adding new subsections to read:

(d) A business license holder may request a new business license under AS 43.70.030(e)(2) within 30 days after issuance of the initial business license if when preparing the license application the holder

- (1) in error placed information in the wrong place on the application; or
- (2) made an error in entering information; in this subparagraph, "error"

(A) means a typographical or similar non-substantive mistake;

(B) includes a spelling error or an error in identifying a primary or secondary line of business.

(e) At any time during the life of a business license, the department will update the mailing or physical address at no charge upon the license holder's request. (Eff. 11/4/98, Register 148; am 3/26/2015, Register 213)

Authority: AS 08.01.080 AS 43.70.030 AS 43.70.090
AS 43.70.020

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12 AAC 12.990(6) is repealed and readopted to read:

(6) "line of business" has the meaning given in AS 43.70.110;

(Eff. 11/4/98, Register 148; am 6/27/2004, Register 170; am 3/26/2015, Register 213)

Authority: AS 08.01.080 AS 43.70.090 AS 43.70.110
 AS 08.70.075 AS 43.70.105