

Proposed Regulations as of October 17, 2014

Department of Commerce and Economic Development

The Department of Commerce, Community, and Economic Development proposes to adopt regulation changes in Title 3, Chapter 8,910, to comply with statutory language passed by the legislature under HB 308. Additionally the proposal will make changes to update the reference names of certain federal manuals that have changed. Language will also increase the notice time for rescission offers to 10 days from the current two days and provide definition language for “controlling person.” Other provisions will involve revisions language to correct outdated language.

Public Comment Period ends November 7, 2014

Written Comments to: Kristy Naylor, Chief of Enforcement and Securities

Division of Banking and Securities

Department of Commerce, Community, and Economic Development

550 W. 7th Avenue, Suite 1850

Anchorage, AK 99501

By e-mail to dbsc@alaska.gov

Fax to (907) 269-8146.

Alaska Energy Authority

The Authority is proposing changes to 03 AAC.106 regarding Power Project Fund loans adding a nominal charge of \$200 for a \$100K loan to \$5,000 for \$1 million for processing a loan application and new guidance for loan terms. The regulations offer those seeking loans some insight into the potential costs prior to applying and what is expected when they do apply.

Public Comment Period ends November 14, 2014

Written Comments to: Cady Lister, Program Manager

813 West Northern Lights

Anchorage, AK 99503.

By e-mail to: clister@aidea.org. or dbsc@alaska.gov

Fax to Cady Lister at 907-771-3039

Additionally there will be a public hearing for comments on **Monday November 3, 2014 from 10:00am-11:00am (and may be extended)** in the Board Room at AEA, 813 West Northern Lights Blvd, Anchorage, Alaska. Those wishing to participate in the hearing by telephone may do so by calling the toll-free number 1-888-585-9008, code 467-050-126.

Alaska Energy Authority

The Authority is proposing changes to its procurement regulations regarding expenditures of funds used to manage qualified projects that are designed, constructed or administered for qualified grantees. The changes include an entire new section under 03 AAC 109.010- .900.

Public Comment Period ends November 14, 2014

Written Comments to: Tom Erickson, Procurement Manager

813 West Northern Lights

Anchorage, AK 99503.

By e-mail to: terickson@aidea.org

By fax to: Tom Erickson at 907-771-3044

Additionally there will be a public hearing for comments on **Monday November 3, 2014 from 9:00am-11:00am (and may be extended)** in the Board Room at AEA, 813 West Northern Lights Blvd, Anchorage, Alaska. Those wishing to participate in the hearing by telephone may do so by calling the toll-free number 1-888-585-9008, code 467-050-126.

Regulatory Commission of Alaska

The Commission proposes, in Docket R-13-001, to adopt regulation changes in 03 AAC 52 & 53 dealing with telephone utilities under the that are defined as **Intrastate Interexchange Carrier of Last Resort (IXC COLR)** assignment and duties, including repeal of language that establishes the existing IXC COLR, changes to the requirements and obligations for a new IXC COLR. Additional proposals would require phone utilities to notify the Commission prior to expanding into unserved areas of the state.

Public Comment Period ends November 14, 2014

Written Comments to: Regulatory Commission of Alaska

701 West 8th Avenue, Suite 300

Anchorage, Alaska 99501

By electronic means to:

<https://rca.alaska.gov/RCAWeb/WhatsNew/PublicNoticesComments.aspx>.

Reference Docket R-13-001

Alaska Industrial Development & Export Authority

The Authority proposes to adopt regulation changes 03 AAC 99 to its Conduit Revenue Bond Program Fees. The proposed amendments to the conduit revenue bond fees reflect an effort to bring these fees in line with the Authority's true cost of issuing bonds. Those changes will increase the current application fee from \$500 to \$1,000 and modifications on issuance fees based on the amount of the bond.

Public Comment Period ends October 24, 2014

Written Comments to: Sherrie M. Siverson

AIDEA

813 West Northern Lights Boulevard

Anchorage, Alaska, 99503. Additionally, Alaska Industrial Development and Export Authority will accept comments

By fax to: 907-771-3044

e-mail to: ssiverson@aidea.org.

Additionally there will be a public hearing for comments on **Monday October 20, 2014 from 9:30am-10:30am (and may be extended)** in the AIDEA Board Room, 813 West Northern Lights Boulevard, Anchorage, Alaska, 99503.

Licensing of behavior analysts and assistant behavior analysts

The Department proposes to adopt new regulations in 12, AAC 02 and 77, dealing with all aspects of the practice of behavior analysts and assistant behavior analysts including initial license application and license renewal requirements, criminal justice information requirements, temporary license, fees, definition of terms. This is a new licensed field in Alaska and rules are being implemented HB 361.

Public Comment Period ends October 20, 2014

Written Comments to: Division of Corporations, Business and Professional Licensing

Attention: Jun Maiquis, Regulations Specialist

Department of Commerce, Community, and Economic Development

P.O. Box 110806

Juneau, AK 99811-0806

Fax to: (907) 465-2974

By e-mail: jun.maiquis@alaska.gov

Division Of Insurance

The Division of Insurance proposes to adopt regulations in 03 AAC 28 to incorporate by reference language from the Society of Actuaries and the National Association of Insurance Commissioners an updated mortality table so that insurers will maintain reasonably conservative reserves. The changes are in part based on newer mortality rates and will assist in uniformity among the states.

Public Comment Period ends October 29, 2014

Written Comments to: the Division of Insurance

Attention: Katie Campbell

P.O. Box 110805

Juneau, AK 99811-0805

By e-mail to katie.campbell@alaska.gov;

Fax to (907) 465-3422.

Comments may also be submitted at: <http://aws.state.ak.us/OnlinePublicNotices>

Additionally there will be a public hearing for comments on **Wednesday October 22, 2014 from 10:30am am to 11:00am** in conference room B on the ninth floor of the State Office Building located at 333 Willoughby Ave., Juneau, Alaska. If you are unable to attend the meeting in person and would like to participate by teleconference, please call 1-800-315-6338 and enter the access code 42070 followed by # .

Supplemental Notice of Proposed Changes In The Regulations Of The Division Of Insurance

The current regulations 03 AAC 26. 030-.300 relating to standards for the prompt, fair and equitable settlement of motor vehicle claims are outdated and difficult for insurers to comply with when trying to obtain sufficient information to determine the value of a vehicle that is a total loss. The revisions will address the use of electronic databases and other methods in addition to dealer quotes, while maintaining consumer protections. Additionally, similar changes will be made to the property settlement claims regulation to update the regulations to reflect the advancement of claims adjusting.

This is a supplemental notice issued because of an error in noticing interested persons based on an apparent computer error.

Public Comment Period ends November 7, 2014

Written Comments to: the Division of Insurance

Attention: Sarah McNair-Grove

P.O. Box 110805

Juneau, AK 99811-0805

By e-mail to sarah.mcnair@alaska.gov;

Fax to (907) 465-3422.

Comments may also be submitted at: <http://aws.state.ak.us/OnlinePublicNotices>

Additionally there will be a public hearing for comments on **Tuesday, October 28, 2014 from 9:30am am to 10:00am** in conference room B on the ninth floor of the State Office Building located at 333 Willoughby Ave., Juneau, Alaska

(Supplemental Notice) Occupational License Fees – Board of Dental Examiners

12 AAC 02.190, Board of Dental Examiners,

This **SUPPLEMENTAL NOTICE** is being issued because under the initial **NOTICE OF PROPOSED CHANGES** the document containing the proposed regulation changes dealing with application, review, permit, continuing education course submittal and resubmittal fees for dentists and dental hygienists inadvertently omitted some proposed fee changes and contained some incorrect proposed fee changes. All incorrect fees are the existing fees not the new proposed fee.

Public Comment Period ends October 31, 2014

Written Comments to: Division of Corporations, Business and Professional Licensing

Attention: Jun Maiquis, Regulations Specialist

Department of Commerce, Community, and Economic Development

P.O. Box 110806

Juneau, AK 99811-0806

Fax to:: (907) 465-2974

By e-mail: jun.maiquis@alaska.gov

Department of Corrections

The Department proposes to adopt regulation 22 AAC 20 dealing with attendance and appearances at Parole Board hearings, including crime victims. The board will be authorized to call witnesses. The changes allow for new ways the board can accept testimony, establishes procedures for serving a subpoena and updates the process including rules for refusal to attend a revocation hearing by the parolee. There will also be preconditions to be considered prior to revocation.

The Board will be required to notify a crime victim if there is potential for release and it will review the victim's testimony and position when considering that release.

Public Comment Period ends December 19, 2014

Written Comments to: Department of Correction

Board of Parole

550 West 7th Ave., Suite 1800

Anchorage, Alaska 99501

By fax to: 907 269-4697

E-Mail to: richard.schmitz@alaska.gov

Department of Education

Charter schools

The Department of Education & Early Development proposes new regulations for applications, application appeal procedures, grants, and pupil transportation for charter schools.

4 AAC 27 and 4 AAC 33 The regulations establish procedures for Charter schools to apply for pupil transportation and the process for an appeal if the local district does not accept the application the appeal can be reviewed all the way to the State Board.

Additional language requires charter schools to meet state and federal education standards and allows for inspection of those methods.

New Charter schools applying for a grant will have specific requirements and procedures for the application.

Public Comment Period ends November 3, 2014

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm> or
sally.schlichting@alaska.gov

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the

Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

High school graduation requirements

The Department of Education & Early Development proposes regulation changes to 4 AAC 06.075 to increase the units of credit in mathematics from two credits to three credits required for graduation from high school on or after July 1, 2017.

Public Comment Period ends November 3, 2014

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Residential Schools

The Department of Education & Early Development proposes new regulations 4 AAC 33.090 to give a school district an annual opportunity and deadline to apply for approval to operate a residential school, and to allow a district to request a waiver from the Commissioner for flexibility in the date a district uses within the count period for its student count for a variable-term statewide residential school.

Public Comment Period ends November 3, 2014

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Natural and Cultural History Repositories

The Department of Education & Early Development proposes new regulations by which the Alaska State Museum will designate other Alaska museums or cultural centers as repositories of natural and cultural history materials. The language in 4 AAC 58 will establish designation of natural and cultural history repositories, including application process, alternative accreditation requirements, assurances by institutions, state review, and grounds for revocation of the designation.

Public Comment Period ends November 3, 2014

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Restraint and Seclusion of Students

The Department of Education & Early Development proposes to adopt regulation changes to amend 4 AAC 06 to require school districts to report to the department incidents involving the restraint or seclusion of a student and to require the department to approve crisis intervention training programs for schools.

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Accountability

The Department of Education & Early Development proposes new regulations in 4 AAC 06 to update the criteria for exempting teachers from jury duty, to report aggregate data about students from families on active military duty, and to adjust the scoring in the school accountability system to reflect that students will have a choice between AST, the SAT or WorkKeys assessments.

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Common Core Standards Initiative

The Department of Education & Early Development proposes a new regulation in 04 AAC 04 to follow statutory language that prohibits the department from expending money to implement the Common Core Standards Initiative.

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Correspondence Study Programs

The Department of Education & Early Development proposes new regulations in 04 AAC 33 and 04 AAC 09 to implement changes in state law regarding adding unspent correspondence student allotments to the list of funds not subject to the state's limit on school district fund balances; conforming the regulations to the legislative changes in AS 14.03 regarding individual learning plans and student allotments for correspondence study programs and modifying the core course requirements for correspondence students who are proficient or advanced in state assessments.

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Assessments and Participation Guidelines

The Department of Education & Early Development proposes new regulations in 04 AAC 06 to provide standards and criteria for a waiver from the requirement that students take a career-ready or college-ready assessment as a condition of receiving a high school diploma. The regulations also address procedures and standards for an appeal from the denial of such a waiver and adoption of the December 2014 version of the department's guidelines for the participation of all students in state assessments.

Written Comments to: Commissioner's Office

Department of Education & Early Development

Attn: Regulations Review

PO Box 110500, Juneau, AK 99811-0500

Fax to (907) 465-4156,

Comments may also be submitted at: <https://education.alaska.gov/regs/comment.cfm>

Oral comments may be submitted at a hearing to be held on December 4, 2014, at the Anchorage School District board room at 5530 E. Northern Lights Blvd., Anchorage, Alaska. This hearing will begin at 8:00 a.m. You may also comment at this meeting, during this time only, via the Legislative Information Office streaming by calling **1-855-463-5009** if you are outside of Juneau. For participation from Juneau, call **463-5009**.

Department of Environmental Conservation

Contaminated Sites and Underground Storage Tanks

The Alaska Department of Environmental Conservation (DEC) is proposing to change regulations on contaminated sites and underground storage tanks to broaden the number of individuals who may qualify to conduct environmental work at contaminated sites and underground storage tank sites, adopt updates to referenced documents, and to clarify, simplify and make consistent additional regulatory language.

18 AAC 75.355 makes changes to permit “qualified samplers” to take tests when an environmental professional is not available. It further allows for a waiver of an impartial third party. Methods will be established using EPA standards.

18 AAC 75.365 changes language and definitions to comply with the EPA standards adopted.

18 AAC 78.007- .995 Similar changes are made it these sections to comply with EPA standards and the necessary language for qualified sampler and “qualified environmental professional.”

Also two DEC documents will be updated:

Underground Storage Tank Procedures Manual; and
Operation Requirements for Soil Treatment Facilities (previously titled the
Soil Treatment Facility Guidance).

Public Comment Period ends November 26, 2014

Written Comments to: Sally Schlichting

Alaska Department of Environmental Conservation

P.O. Box 111800

Juneau, AK 99811-1800

By e-mail to sally.schlichting@alaska.gov

Fax to (907) 465-5218.

Comments may also be submitted at: <http://aws.state.ak.us/OnlinePublicNotices/Default.aspx>

DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources proposes to adopt regulations to 11 AAC 05 that will provide for guidelines and fees for the use of state land proposed to be used for Wind Power Projects. The fees simply add wind power projects to existing land use fees with the exception of a one-time fee of \$1,500 per kilowatt produced and an annual rent based on 10% of fair market value. 11 AAC 05 is proposed to be changed to provide for new fees and rental rates for the use of state land associated with the use of state land for Wind Power Projects, and to make technical corrections to the departments fee regulations.

Public Comment Period ends November 26, 2014

Written Comments to: Department of Natural Resources

Attn: Joe Joyner

550 W. 7th Avenue, Suite 1070

Anchorage, AK 99501-3579

By e-mail to dnrmlw@alaska.gov

Fax to (907 269-8904).