

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Resources

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Resources

**EXECUTIVE ORDER NO. 124**

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer from the Board of Game to the commissioner of fish and game the  
7 authority to prohibit by regulation the live capture, possession, transport, or release of native  
8 or exotic game or their eggs.

9 \* **Sec. 2.** AS 16.05.050 is amended by adding a new subsection to read:

10 (c) The commissioner may adopt regulations considered advisable in  
11 accordance with AS 44.62 (Administrative Procedure Act) for prohibiting the live  
12 capture, possession, transport, or release of native or exotic game or their eggs.

13 \* **Sec. 3.** AS 16.05.255(a)(8) is repealed.

14 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
15 read:

16 TRANSITION. Permits, orders, and regulations in effect on the effective date of this  
17 Order that were issued or adopted under the authority of a law amended or repealed by this  
18 Order, or in connection with a function transferred by this Order, remain in effect for the term  
19 issued and shall be enforced by the agency to which the function is transferred under this  
20 Order until revoked, vacated, or amended by the agency to which the function is transferred.

21 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Health & Social Services

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Health & Social Services

### EXECUTIVE ORDER NO. 125

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions of the Alaska Council on Emergency Medical Services  
7 to the Department of Health. Additionally, with the transfer of these functions, I find there is  
8 no longer a need for the Alaska Council on Emergency Medical Services and its elimination is  
9 in the best interests of efficient administration.

10 \* **Sec. 2.** AS 18.08 is amended by adding a new section to read:

11 **Sec. 18.08.025. Statewide emergency medical services system.** The  
12 commissioner shall advise the governor with regard to the planning and  
13 implementation of a statewide emergency medical services system.

14 \* **Sec. 3.** AS 18.08.070 is amended to read:

15 **Sec. 18.08.070. Special committees.** The commissioner [COUNCIL] may  
16 create special committees or task forces [OUTSIDE ITS MEMBERSHIP] and may  
17 appoint persons who are not employees [MEMBERS] of the department  
18 [COUNCIL] to serve as advisors or consultants to any committee created to carry out  
19 the purposes of this chapter [THE COUNCIL].

20 \* **Sec. 4.** AS 18.08.100(d) is amended to read:

21 (d) An individual certified or licensed under this chapter may not be required  
22 to document a barrier to an in-person visit to provide health care services through  
23 telehealth. The department [OR THE COUNCIL] may not limit the physical setting  
24 from which an individual certified or licensed under this chapter may provide health  
25 care services through telehealth.

26 \* **Sec. 5.** AS 18.08.015(d), 18.08.020, 18.08.030, 18.08.040, 18.08.050, and 18.08.060 are

1 repealed.

2 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4 TRANSITION. (a) The terms of the members of the Alaska Council on Emergency  
5 Medical Services established under AS 18.08.020 terminate on the effective date if this Order.

6 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
7 repealed or amended by this Order, or in connection with a function transferred by this Order,  
8 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
9 provided for in this Order.

10 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
11 affected by this Order, and in effect on the effective date of this Order, remain in effect  
12 notwithstanding this Order's taking effect.

13 (d) Records, equipment, appropriations, and other property of an agency of the state  
14 whose functions are transferred under this Order shall be transferred to implement the  
15 provisions of this Order.

16 \* **Sec. 7.** This Order takes effect July 1, 2024.

DATED:\_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Resources

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Resources

### EXECUTIVE ORDER NO. 126

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions of the Wood-Tikchik State Park Management Council  
7 to the Department of Natural Resources. Additionally, with the transfer of these functions, I  
8 find that there is no longer a need for the Wood-Tikchik State Park Management Council and  
9 its elimination is in the best interests of efficient administration. This action will provide a  
10 single point of responsibility for the development of the Wood-Tikchik State Park's  
11 management plan, resulting in increased performance and accountability.

12 \* **Sec. 2.** AS 41.21.164 is amended to read:

13 **Sec. 41.21.164. Management plan.** The department [WOOD-TIKCHIK  
14 STATE PARK MANAGEMENT COUNCIL] shall develop a management plan for  
15 the Wood-Tikchik State Park [PARK WITH THE ADVICE AND ASSISTANCE  
16 OF THE DEPARTMENT]. The management plan shall be presented at a public  
17 meeting before approval and implementation.

18 \* **Sec. 3.** AS 41.21.165 is amended to read:

19 **Sec. 41.21.165. Regulations.** The department shall consult with Department of  
20 Fish and Game [AND THE MANAGEMENT COUNCIL] before adoption of  
21 regulations governing the public use of the Wood-Tikchik State Park [PARK]. The  
22 Department of Fish and Game shall consult with the department [AND THE  
23 MANAGEMENT COUNCIL] before adoption of regulations governing fish and  
24 wildlife management in the Wood-Tikchik State Park [PARK]. Regulations may not  
25 be adopted by either department without prior review at public hearings.

26 \* **Sec. 4.** AS 41.21.163 is repealed.

1     \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3           TRANSITION. (a) The terms of the members of the Wood-Tikchik State Park  
4 Management Council established under AS 41.21.163 terminate on the effective date of this  
5 Order.

6           (b) Litigation, hearings, investigations, and other proceedings pending under a law  
7 repealed or amended by this Order, or in connection with a function transferred by this Order,  
8 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
9 provided for in this Order.

10          (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
11 affected by this Order, and in effect on the effective date of this Order, remain in effect  
12 notwithstanding this Order's taking effect.

13          (d) Certificates, orders, and regulations in effect on the effective date of this Order  
14 that were issued or adopted under the authority of a law amended or repealed by this Order, or  
15 in connection with a function transferred by this Order, remain in effect for the term issued  
16 and shall be enforced by the agency to which the function is transferred under this Order until  
17 revoked, vacated, or amended by the agency to which the function is transferred.

18          (e) Records, equipment, appropriations, and other property of an agency of the state  
19 whose functions are transferred under this Order shall be transferred to implement the  
20 provisions of this Order.

21     \* **Sec. 6.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

### EXECUTIVE ORDER NO. 127

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions relating to the licensure, professional standards, and  
7 administration of massage therapy from the Board of Massage Therapists to the Department  
8 of Commerce, Community, and Economic Development. Additionally, with the transfer of  
9 these functions, I find there is no longer a need for the Board of Massage Therapists and its  
10 elimination is in the best interests of efficient administration.

11 \* **Sec. 2.** AS 08.01.010(26) is amended to read:

12 (26) **regulation of massage therapists under AS 08.61** [BOARD OF  
13 MASSAGE THERAPISTS (AS 08.61.010)];

14 \* **Sec. 3.** AS 08.61.020 is amended to read:

15 **Sec. 08.61.020. Duties and powers of the department [BOARD].** In addition  
16 to the duties specified in AS 08.01, the **department** [BOARD] shall

17 (1) provide for the examination of applicants by the **department**  
18 [BOARD] or through a nationally recognized competency examination approved by  
19 the **department** [BOARD] and issue licenses to applicants the **department** [BOARD]  
20 finds qualified;

21 (2) adopt regulations governing

22 (A) licensing of massage therapists;

23 (B) the practice of massage therapy; and

24 (C) massage therapy establishments;

25 (3) establish standards of professional competence and ethical conduct  
26 for massage therapists;

1 (4) establish standards for continuing education for massage therapists;  
 2 standards adopted by the department [BOARD] under this paragraph must allow for  
 3 approval of Internet-based continuing education courses;

4 (5) make available to the public a list of massage therapists licensed  
 5 under this chapter;

6 (6) determine which states have educational and licensing  
 7 requirements equivalent to the requirements of this state;

8 (7) enforce the provisions of this chapter and adopt and enforce  
 9 regulations necessary to implement this chapter; and

10 (8) approve one or more nationally recognized competency  
 11 examinations and publish and periodically update the list of approved examinations.

12 \* **Sec. 4.** AS 08.61.030 is amended to read:

13 **Sec. 08.61.030. Qualifications for license.** The department [BOARD] shall  
 14 issue a license to practice massage therapy to a person who

15 (1) applies on a form provided by the department;

16 (2) pays the fees established under AS 08.61.090;

17 (3) furnishes evidence satisfactory to the department [BOARD] that  
 18 the person has completed a

19 (A) course of study of at least 625 hours of in-class supervised  
 20 instruction and clinical work from an approved massage school; or

21 (B) department-approved [BOARD-APPROVED]  
 22 apprenticeship program;

23 (4) is 18 years of age or older;

24 (5) has been fingerprinted and has provided the fees required by the  
 25 Department of Public Safety under AS 12.62.160 for criminal justice information and  
 26 a national criminal history record check; the fingerprints and fees shall be forwarded  
 27 to the Department of Public Safety to obtain a report of criminal justice information  
 28 under AS 12.62 and a national criminal history record check under AS 12.62.400;

29 (6) has a current cardiopulmonary resuscitation certification;

30 (7) has received at least two hours of safety education covering  
 31 bloodborne pathogens and universal precautions in the two years preceding the

1 application for the license; in this paragraph, "bloodborne pathogens" has the meaning  
2 given in AS 18.15.450;

3 (8) has successfully completed a nationally recognized competency  
4 examination approved by the department [BOARD]; and

5 (9) has not been convicted of, or pled guilty or no contest to, a crime  
6 involving moral turpitude, or who has been convicted of, or pled guilty or no contest  
7 to, a crime involving moral turpitude if the department [BOARD] finds that the  
8 conviction does not affect the person's ability to practice competently and safely.

9 \* **Sec. 5.** AS 08.61.040 is amended to read:

10 **Sec. 08.61.040. Licensure by credentials.** The department [BOARD] shall  
11 issue a license to practice massage therapy to a person who

12 (1) is 18 years of age or older;

13 (2) applies on a form provided by the department;

14 (3) pays the fees established under AS 08.61.090;

15 (4) has submitted the person's fingerprints and the fees required by the  
16 Department of Public Safety under AS 12.62.160 for criminal justice information and  
17 a national criminal history record check; the fingerprints and fees shall be forwarded  
18 to the Department of Public Safety to obtain a report of criminal justice information  
19 under AS 12.62 and a national criminal history record check under AS 12.62.400;

20 (5) is not the subject of an unresolved complaint or disciplinary action  
21 before a regulatory authority in this state or another jurisdiction;

22 (6) has not had a certificate or license to practice massage therapy  
23 revoked, suspended, or voluntarily surrendered in this state or another jurisdiction;

24 (7) has not been convicted of, or pled guilty or no contest to, a crime  
25 involving moral turpitude, or has been convicted of, or pled guilty or no contest to, a  
26 crime involving moral turpitude if the department [BOARD] finds that the conviction  
27 does not affect the person's ability to practice competently and safely;

28 (8) has a current cardiopulmonary resuscitation certification; and

29 (9) is currently

30 (A) licensed to practice massage therapy in another state or  
31 country that has licensing requirements that are substantially equal to or greater



1 than the requirements of this state; or

2 (B) certified by a certification entity approved by the  
3 department [BOARD].

4 \* **Sec. 6.** AS 08.61.050 is amended to read:

5 **Sec. 08.61.050. Standards for license renewal.** The department [BOARD]  
6 shall renew a license issued under this chapter to a licensee who

7 (1) pays the required fee;

8 (2) meets the continuing education requirements established by the  
9 department [BOARD];

10 (3) has not been convicted of, or pled guilty or no contest to, a crime  
11 involving moral turpitude, or has been convicted of, or pled guilty to or no contest to,  
12 a crime involving moral turpitude if the department [BOARD] finds that the  
13 conviction does not affect the person's ability to practice competently and safely;

14 (4) has a current cardiopulmonary resuscitation certification; and

15 (5) has been fingerprinted and has provided the fees required by the  
16 Department of Public Safety under AS 12.62.160 for criminal justice information and  
17 a national criminal history record check at least once every six years; the fingerprints  
18 and fees shall be forwarded to the Department of Public Safety to obtain a report of  
19 criminal justice information under AS 12.62 and a national criminal history record  
20 check under AS 12.62.400.

21 \* **Sec. 7.** AS 08.61.060 is amended to read:

22 **Sec. 08.61.060. Grounds for imposition of disciplinary sanctions.** After a  
23 hearing, the department [BOARD] may impose a disciplinary sanction authorized  
24 under AS 08.01.075 on a person licensed under this chapter if the department  
25 [BOARD] finds that the person

26 (1) secured a license through deceit, fraud, or intentional  
27 misrepresentation;

28 (2) engaged in deceit, fraud, or intentional misrepresentation in the  
29 course of providing massage therapy services or engaging in massage therapy;

30 (3) advertised massage therapy services in a false or misleading  
31 manner;

1 (4) has been convicted of a felony or another crime that affects the  
2 licensee's ability to continue to practice competently and safely;

3 (5) intentionally or negligently engaged in, or permitted a person under  
4 the licensed massage therapist's supervision to engage in, client care that did not  
5 conform to minimum professional standards, whether or not actual injury to the client  
6 occurred;

7 (6) failed to comply with a provision of this chapter, a regulation  
8 adopted under this chapter, or an order of the department [BOARD];

9 (7) continued to practice after becoming unfit because of

10 (A) professional incompetence; or

11 (B) addiction or severe dependency on alcohol or another drug  
12 that impairs the ability to practice safely; or

13 (8) engaged in unethical conduct or sexual misconduct in connection  
14 with the delivery of massage therapy services to a client.

15 \* **Sec. 8.** AS 08.61.080 is amended to read:

16 **Sec. 08.61.080. Exceptions to application of chapter.** This chapter does not  
17 apply to a

18 (1) person licensed in the state under a statute outside this chapter who  
19 performs massage therapy within the scope of practice for which the person's license  
20 was issued;

21 (2) person who, while acting in an official capacity as an employee of  
22 the United States government, performs massage therapy;

23 (3) person who is licensed, registered, or certified in another state,  
24 territory, the District of Columbia, or a foreign country while the person is temporarily

25 (A) practicing massage therapy in this state in connection with  
26 teaching a course related to massage therapy; or

27 (B) consulting with a person licensed under this chapter;

28 (4) student enrolled in an approved massage school or course of study  
29 who is completing a clinical requirement for graduation under the general supervision  
30 of a person licensed under this chapter if the student is clearly identified as a student  
31 while performing massage therapy services on members of the public and is not

1 compensated for the massage therapy services;

2 (5) person only performing massage therapy on members of the  
3 person's family;

4 (6) person only performing techniques that do not involve contact with  
5 the body of another person;

6 (7) person only performing techniques that involve resting the hands  
7 on the surface of the body of another person without delivering pressure to or  
8 manipulating the person's soft tissues;

9 (8) person only performing services such as herbal body wraps, skin  
10 exfoliation treatments, or the topical application of products to the skin for  
11 beautification purposes when the services do not involve direct manipulation of the  
12 soft tissues of the body;

13 (9) person only performing massage therapy for the athletic  
14 department of an institution maintained by public funds of the state or a political  
15 subdivision of the state or only practicing massage therapy for the athletic department  
16 of a school or college approved by the department [BOARD] using recognized  
17 national professional standards;

18 (10) person engaged only in the practice of structural integration for  
19 restoring postural balance and functional ease by integrating the body in gravity using  
20 a system of fascial manipulation and awareness who has graduated from a program or  
21 is a current member of an organization recognized by the International Association of  
22 Structural Integrators, including the Rolf Institute of Structural Integration;

23 (11) person using only light touch, words, and directed movement to  
24 deepen awareness of existing patterns of movement in the body as well as to suggest  
25 new possibilities of movement or to affect the energy systems;

26 (12) person performing only the traditional practices of Native  
27 American traditional healers;

28 (13) person practicing only the manipulation of the soft tissues of the  
29 hands, feet, or ears and not holding out to be a massage therapist.

30 \* **Sec. 9.** AS 44.62.330(a)(45) is amended to read:

31 (45) the Department of Commerce, Community, and Economic

1           **Development relating to the licensing and regulation of massage therapists under**  
 2           **AS 08.61** [BOARD OF MASSAGE THERAPISTS];

3           \* **Sec. 10.** AS 08.03.010(c)(12); AS 08.61.010, and 08.61.100(2) are repealed.

4           \* **Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to  
 5 read:

6           TRANSITION. (a) The terms of the members of the Board of Massage Therapists  
 7 established under AS 08.61.010 terminate on the effective date of this Order.

8           (b) Litigation, hearings, investigations, and other proceedings pending under a law  
 9 repealed or amended by this Order, or in connection with a function transferred by this Order,  
 10 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
 11 provided for in this Order.

12           (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
 13 affected by this Order, and in effect on the effective date of this Order, remain in effect  
 14 notwithstanding this Order's taking effect.

15           (d) Certificates, licenses, orders, and regulations in effect on the effective date of this  
 16 Order that were issued or adopted under the authority of a law amended or repealed by this  
 17 Order, or in connection with a function transferred by this Order, remain in effect for the term  
 18 issued and shall be enforced by the agency to which the function is transferred under this  
 19 Order until revoked, vacated, or amended by the agency to which the function is transferred.

20           (e) Records, equipment, appropriations, and other property of an agency of the state  
 21 whose functions are transferred under this Order shall be transferred to implement the  
 22 provisions of this Order.

23           \* **Sec. 12.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
 Mike Dunleavy  
 Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: State Affairs, Resources

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: House Special Committee on Energy

### EXECUTIVE ORDER NO. 128

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to separate the membership of the board of directors of the Alaska Energy  
7 Authority from the membership of the board of directors of the Alaska Industrial  
8 Development and Export Authority.

9 \* **Sec. 2.** AS 44.83.030 is amended to read:

10 **Sec. 44.83.030. Membership of the authority.** The directors of the Alaska  
11 Energy Authority are

12 **(1) the commissioner of commerce, community, and economic**  
13 **development; and**

14 **(2) six public members appointed by the governor as follows:**

15 **(A) one member with expertise or experience in managing**  
16 **or operating an electric utility that is not connected to an interconnected**  
17 **electric energy transmission network, as that term is defined in**  
18 **AS 42.05.790;**

19 **(B) one member with expertise or experience in developing**  
20 **energy projects in rural communities;**

21 **(C) one member with expertise or experience in managing**  
22 **or operating an electric utility connected to an interconnected electric**  
23 **energy transmission network, as that term is defined in AS 42.05.790;**

24 **(D) one member with financial expertise in large-scale**  
25 **energy project development; and**

26 **(E) two members with expertise or experience in finance,**

1                   energy policy, energy technology, engineering, law, or economics [THE  
2                   MEMBERS OF THE ALASKA INDUSTRIAL DEVELOPMENT AND  
3                   EXPORT AUTHORITY].

4       \* **Sec. 3.** AS 44.83.030 is amended by adding new subsections to read:

5                   (b) If the commissioner described in (a)(1) of this section is unable to attend a  
6                   meeting of the authority, the commissioner may, by an instrument in writing filed with  
7                   the authority, designate a deputy or assistant to act in the commissioner's place as a  
8                   member at the meeting. For all purposes of this chapter, the designee is a member of  
9                   the authority at the meeting.

10                  (c) Public members of the authority described in (a)(2) of this section serve at  
11                  the pleasure of the governor for two-year terms.

12                  (d) If a vacancy occurs in the membership of the authority, the governor shall  
13                  immediately appoint a member for the unexpired portion of the term.

14       \* **Sec. 4.** AS 44.83.040(a) is amended to read:

15                  (a) The members of the board of directors of the authority shall elect a  
16                  chair and vice-chair from among themselves. The vice-chair presides over all  
17                  meetings in the absence of the chair and has other duties that the authority may  
18                  direct [THE CHAIR AND VICE-CHAIR OF THE ALASKA INDUSTRIAL  
19                  DEVELOPMENT AND EXPORT AUTHORITY SHALL SERVE AS OFFICERS  
20                  OF THE ALASKA ENERGY AUTHORITY]. The powers of the Alaska Energy  
21                  Authority are vested in the directors, and four directors of the authority constitute a  
22                  quorum. Action may be taken and motions and resolutions adopted by the Alaska  
23                  Energy Authority at a meeting by the affirmative vote of a majority of the directors.  
24                  The directors of the Alaska Energy Authority serve without compensation, but they  
25                  shall receive the same travel pay and per diem as provided by law for board members  
26                  under AS 39.20.180.

27       \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

### EXECUTIVE ORDER NO. 129

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions relating to the licensure, professional standards, and  
7 administration of barbers and hairdressers from the Board of Barbers and Hairdressers to the  
8 Department of Commerce, Community, and Economic Development. Additionally, with the  
9 transfer of these functions, I find there is no longer a need for the Board of Barbers and  
10 Hairdressers and its elimination is in the best interests of efficient administration.

11 \* **Sec. 2.** AS 08.01.010(7) is amended to read:

12 (7) **regulation of barbers and hairdressers under AS 08.13**  
13 [BOARD OF BARBERS AND HAIRDRESSERS (AS 08.13.010)];

14 \* **Sec. 3.** AS 08.01.065(h) is amended to read:

15 (h) Notwithstanding (c) of this section, the department shall establish fee  
16 levels under (a) of this section so that the total amount of fees collected by the  
17 **department** [BOARD OF BARBERS AND HAIRDRESSERS] approximately equals  
18 the total regulatory costs of the department [, THE BOARD,] and the Department of  
19 Environmental Conservation for all occupations regulated by the **department under**  
20 **AS 08.13** [BOARD]. For purposes of this subsection, the regulatory costs of the  
21 Department of Environmental Conservation for the occupations regulated by the  
22 **department under AS 08.13** [BOARD] include the cost of inspections under  
23 AS 08.13.210(b), the cost of developing and adopting regulations under AS 44.46.020  
24 for barbershop, hairdressing, hair braiding, manicuring, esthetics, body piercing, ear  
25 piercing, tattooing, and permanent cosmetic coloring establishments, and the cost to  
26 the Department of Environmental Conservation of enforcing the regulations for body

1 piercing, tattooing, and permanent cosmetic coloring establishments. The department  
 2 shall set the fee levels for the issuance and renewal of a practitioner's license issued  
 3 under AS 08.13.100 so that the license and license renewal fees are the same for all  
 4 occupations regulated by the **department under AS 08.13** [BOARD OF BARBERS  
 5 AND HAIRDRESSERS].

6 \* **Sec. 4.** AS 08.13.030 is amended to read:

7 **Sec. 08.13.030. Powers and duties of the department [BOARD].** (a) The  
 8 **department** [BOARD] shall exercise general control over the vocations of barbering,  
 9 hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, and  
 10 permanent cosmetic coloring.

11 (b) The **department** [BOARD] shall

12 (1) examine applicants and approve the issuance of licenses and  
 13 permits to practice;

14 (2) authorize the issuance of licenses for schools of barbering,  
 15 hairdressing, manicuring, and esthetics;

16 (3) develop written instructions and notices that tattooing, permanent  
 17 cosmetic coloring, and body piercing shop owners and practitioners are required to  
 18 give or display under AS 08.13.215;

19 (4) enforce the provisions of this chapter, regulations adopted under  
 20 this chapter, and regulations relating to barbering, hairdressing, hair braiding,  
 21 manicuring, and esthetics adopted under AS 44.46.020(a)(5)(C).

22 (c) The **department** [BOARD] may

23 (1) suspend or revoke a license or permit;

24 (2) on its own motion or upon receipt of a written complaint, conduct  
 25 hearings and [REQUEST THE]

26 (A) [DEPARTMENT OF COMMERCE, COMMUNITY,  
 27 AND ECONOMIC DEVELOPMENT TO] investigate the practices of a  
 28 person, shop, or school involved in the practice or teaching of barbering,  
 29 hairdressing, hair braiding, manicuring, or esthetics; or

30 (B) [DEPARTMENT OF COMMERCE, COMMUNITY,  
 31 AND ECONOMIC DEVELOPMENT OR THE DEPARTMENT OF



1 ENVIRONMENTAL CONSERVATION TO] investigate or request the  
 2 Department of Environmental Conservation investigate the practices of a  
 3 person, shop, or school involved in the practice or teaching of body piercing,  
 4 tattooing, or permanent cosmetic coloring;

5 (3) adopt regulations or do any act necessary to carry out the  
 6 provisions of this chapter.

7 \* **Sec. 5.** AS 08.13.040 is amended to read:

8 **Sec. 08.13.040. Examinations [MEETINGS AND EXAMINATIONS].** (a)  
 9 The department [BOARD SHALL MEET AS OFTEN AS NECESSARY TO  
 10 CONDUCT ITS BUSINESS. IT] shall conduct separate examinations covering the  
 11 following fields of practice: barbering, hairdressing, advanced manicuring, and  
 12 esthetics. Examinations shall be given at least twice in every year for each of these  
 13 fields of practice for which applications for licensure or endorsements are pending. An  
 14 applicant may take an examination in more than one field during the same testing  
 15 session. The department [BOARD] may not require an applicant for licensure as a  
 16 manicurist to take or pass an examination conducted by the department [BOARD] for  
 17 the field of manicuring; however, nothing in this sentence prohibits the department  
 18 [BOARD] from requiring a licensed manicurist to pass an examination to obtain an  
 19 optional endorsement as an advanced manicurist under AS 08.13.080(f).

20 (b) The department [BOARD] may not require a person applying for a  
 21 limited license to practice non-chemical barbering under AS 08.13.100(f) to take an  
 22 examination that tests the person's knowledge of chemical processes, including  
 23 permanent waving, bleaching, coloring, or chemical straightening.

24 \* **Sec. 6.** AS 08.13 is amended by adding a new section to article 1 to read:

25 **Sec. 08.13.055. Records of the department.** The department shall maintain  
 26 records relating to the issuance, refusal, suspension, and revocation of each license and  
 27 permit under this chapter. The records must contain the name of the person to whom a  
 28 license or permit is issued, the person's place of business, the date of issuance for each  
 29 license and permit, and whether it is currently valid. The records shall be open to  
 30 inspection by the public at all reasonable times.

31 \* **Sec. 7.** AS 08.13.080(a) is amended to read:

1 (a) An applicant for an examination authorized under AS 08.13.040 must

2 (1) have successfully completed all courses that a school with a  
3 curriculum in barbering approved by the department [BOARD] is required to teach in  
4 order to be licensed under AS 08.13.110 if applying for a license to practice barbering;  
5 the curriculum may be limited for non-chemical barbering under AS 08.13.100(f);

6 (2) have successfully completed all courses that a school with a  
7 curriculum in hairdressing approved by the department [BOARD] is required to teach  
8 to be licensed under AS 08.13.110 if applying for a license to practice hairdressing;

9 (3) have successfully completed all courses that a school with a  
10 curriculum in esthetics approved by the department [BOARD] is required to teach in  
11 order to be licensed under AS 08.13.110 if applying for a license to practice esthetics;

12 (4) have served an apprenticeship under AS 08.13.082;

13 (5) specify the field of practice in which the applicant intends to teach  
14 and have held a license to practice in the field for three years or have held a license in  
15 the field for one year and have completed 600 hours of student training as an instructor  
16 in the field of practice from a licensed school with a curriculum approved by the  
17 department [BOARD] if applying for a license as an instructor, except that a person  
18 licensed as an instructor in hairdressing may be an instructor in manicuring for courses  
19 that satisfy the requirements of (e) of this section, and the department [BOARD]  
20 may, by regulation, establish requirements for other manicuring instructors, including  
21 instructors who teach courses that satisfy requirements for an advanced manicurist  
22 endorsement; or

23 (6) have completed course work and, if applicable, an apprenticeship  
24 acceptable to the department [BOARD].

25 \* **Sec. 8.** AS 08.13.080(d) is amended to read:

26 (d) An applicant for a license to practice body piercing, tattooing, or permanent  
27 cosmetic coloring shall

28 (1) satisfy the training requirement of AS 08.13.082(d);

29 (2) by passing a written examination approved by the department  
30 [BOARD], demonstrate to the department [BOARD] or the department's  
31 [BOARD'S] designee safety, sanitation, sterilization, aseptic, and practice techniques

1 that indicate that the applicant has adequate knowledge of infection control practices  
2 and requirements relating to tattooing, permanent cosmetic coloring, or body piercing,  
3 as applicable; this demonstration may, at the option of the **department** [BOARD],  
4 also include a practical examination in addition to the written examination; and

5 (3) pay the appropriate fee.

6 \* **Sec. 9.** AS 08.13.080(e) is amended to read:

7 (e) An applicant for a license to practice manicuring shall

8 (1) submit documentation that the applicant has completed a course of  
9 12 hours of instruction or training approved by the **department** [BOARD] that  
10 addresses health, safety, and hygiene concerns of manicuring customers and  
11 practitioners that are relevant to the practice of manicuring from a school licensed  
12 under AS 08.13.110 as a school of manicuring; documentation of completion of the  
13 course must include certification from the school that the applicant has passed a test  
14 given by the school covering the health, safety, and hygiene concerns of manicuring  
15 customers and practitioners that are relevant to the practice of manicuring; and

16 (2) pay the appropriate fee.

17 \* **Sec. 10.** AS 08.13.080(f) is amended to read:

18 (f) An applicant for an endorsement to a license to practice manicuring or  
19 hairdressing indicating that the person is an advanced manicurist shall

20 (1) hold, or be approved for, a current license issued under this chapter  
21 for manicuring or hairdressing;

22 (2) request the endorsement;

23 (3) submit documentation from a licensed school of manicuring or  
24 hairdressing certifying completion of 250 hours of instruction in manicuring that  
25 meets the requirements of AS 08.13.110(e);

26 (4) pass an examination given by the **department** [BOARD] for  
27 advanced manicurists; and

28 (5) pay the appropriate fee.

29 \* **Sec. 11.** AS 08.13.080(g) is amended to read:

30 (g) An applicant for a license to practice hair braiding shall

31 (1) apply in writing on a form prescribed by the **department**

1 [BOARD];

2 (2) complete, to the satisfaction of the **department** [BOARD], 35  
3 hours of instruction in hair braiding, health, safety, and sanitation

4 (A) at an accredited school of hairdressing;

5 (B) at a professional association of hairdressing or hair  
6 braiding; or

7 (C) from an individual or school licensed under this chapter  
8 and approved by the **department** [BOARD]; and

9 (3) pay the appropriate fee.

10 \* **Sec. 12.** AS 08.13.082(a) is amended to read:

11 (a) The period of apprenticeship required to qualify an applicant for a license  
12 to practice barbering is 2,000 hours. The apprenticeship must be served in a shop  
13 approved by the **department** [BOARD]. The apprenticeship may not be completed in  
14 less than 12 months from the date of its commencement and must be completed in not  
15 more than two years from the date of its commencement. The **department** [BOARD]  
16 may set by regulation a period of apprenticeship of less than 2,000 hours for an  
17 applicant for a license to practice non-chemical barbering. The **department** [BOARD]  
18 may not require an applicant for a license to practice non-chemical barbering under  
19 AS 08.13.100(f) to perform apprenticeship hours or practical operations relating to  
20 chemical processes, including permanent waving, bleaching, coloring, or chemical  
21 straightening.

22 \* **Sec. 13.** AS 08.13.082(b) is amended to read:

23 (b) The period of apprenticeship required to qualify an applicant for a license  
24 to practice hairdressing is 2,000 hours. The apprenticeship must be served in a shop  
25 approved by the **department** [BOARD]. The apprenticeship may not be completed in  
26 less than one year from the date of its commencement and must be completed in not  
27 more than two years from the date of its commencement.

28 \* **Sec. 14.** AS 08.13.082(c) is amended to read:

29 (c) The period of apprenticeship required to qualify an applicant for a license  
30 to practice esthetics is 350 hours. The apprenticeship must be served in a shop  
31 approved by the **department** [BOARD]. The apprenticeship may not be completed in

1 less than six months from the date of its commencement and must be completed in not  
2 more than one year from the date of its commencement.

3 \* **Sec. 15.** AS 08.13.082(d) is amended to read:

4 (d) The number of hours of training required to qualify an applicant for a  
5 license to practice tattooing, permanent cosmetic coloring, or body piercing shall be  
6 set by the **department** [BOARD] in regulations. The trainee must be at least 18 years  
7 of age when the training commences. The training required under this subsection

8 (1) may only be received

9 (A) in a licensed shop in this state under a person who has a  
10 practitioner's license under this chapter in the field in which the trainee seeks  
11 training; or

12 (B) outside the state from a person approved by the  
13 **department** [BOARD] at a site approved by the **department** [BOARD];

14 (2) must include at least 12 hours of training in safety, sanitation,  
15 sterilization, aseptic, and other practices necessary to prevent transmission of diseases  
16 and infection;

17 (3) shall be completed in not more than 12 months from the date of its  
18 commencement; and

19 (4) shall be documented by certification from the trainer that the  
20 training was successfully completed by the trainee.

21 \* **Sec. 16.** AS 08.13.090 is amended to read:

22 **Sec. 08.13.090. Examinations and other requirements.** (a) A written  
23 examination shall be given to each applicant for examination at a time and place  
24 determined by the **department** [BOARD. THE BOARD MAY DELEGATE THE  
25 POWER OF EXAMINATION TO A COMMITTEE OF THE BOARD OR A  
26 BOARD MEMBER].

27 (b) The written examination must cover subjects designated by the  
28 **department** [BOARD] and must test the applicant's knowledge of sanitary practices,  
29 safety of all procedures, and use of instruments, equipment, and chemicals permitted  
30 within the field of practice for which the applicant is seeking a license.

31 (c) The **department** [BOARD] may by regulation establish requirements for a

1 practical examination for licensure.

2 \* **Sec. 17.** AS 08.13.100(a) is amended to read:

3 (a) The **department** [BOARD] shall authorize the issuance of a license for the  
4 practice of barbering, hairdressing, or esthetics to each qualified applicant who has  
5 passed an examination under AS 08.13.090 and meets other applicable requirements  
6 under this chapter. The **department** [BOARD] shall authorize the issuance of a  
7 license for the practice of tattooing, permanent cosmetic coloring, or body piercing to  
8 each applicant who has satisfied the requirements of AS 08.13.080(d). The  
9 **department** [BOARD] shall authorize the issuance of a license to practice manicuring  
10 to each applicant who has satisfied the requirements of AS 08.13.080(e). The  
11 **department** [BOARD] shall authorize the issuance of an endorsement to a license to  
12 practice manicuring or hairdressing indicating that the person is an advanced  
13 manicurist to each applicant who has satisfied the requirements of AS 08.13.080(f).  
14 The **department** [BOARD] shall authorize the issuance of a license for the practice of  
15 hair braiding to each applicant who has satisfied the requirements of AS 08.13.080(g).

16 \* **Sec. 18.** AS 08.13.100(c) is amended to read:

17 (c) The **department** [BOARD] may by regulation create areas of limited  
18 professional licensing in the field of esthetics. Any limitation must be stated on the  
19 license.

20 \* **Sec. 19.** AS 08.13.100(d) is amended to read:

21 (d) A person who holds a current valid license from a board of barbering,  
22 hairdressing, manicuring, or esthetics in another state or who is licensed by another  
23 state to practice hair braiding, tattooing, permanent cosmetic coloring, or body  
24 piercing is entitled to a license or endorsement under this chapter without examination  
25 or a new period of training in this state. An application must include

26 (1) proof of a valid license issued by another licensing jurisdiction; and

27 (2) proof of completed training, testing, and working experience that

28 the **department** [BOARD] finds to meet the minimum requirements of this state.

29 \* **Sec. 20.** AS 08.13.100(f) is amended to read:

30 (f) The **department** [BOARD] shall by regulation create an area of limited  
31 professional licensing in the field of barbering for non-chemical barbering that allows

1 a person to practice barbering without the use of chemicals and chemical processes.  
2 The limitation must be stated on the license.

3 \* **Sec. 21.** AS 08.13.110(a) is amended to read:

4 (a) The **department** [BOARD] shall adopt regulations for the licensing of  
5 schools of barbering, hairdressing, manicuring, and esthetics. The regulations must  
6 include details of the curriculum, minimum hours of instruction, physical condition of  
7 the facilities, and financial responsibility of the owner. The curriculum required for a  
8 school of hairdressing must include the curriculum required for a school of  
9 manicuring.

10 \* **Sec. 22.** AS 08.13.110(d) is amended to read:

11 (d) The **department** [BOARD] shall issue a license to a school of manicuring  
12 if the school offers a curriculum of 12 hours of instruction or training approved by the  
13 **department** [BOARD] that addresses health, safety, and hygiene concerns of  
14 manicuring customers and practitioners that are relevant to the practice of manicuring.  
15 A school of manicuring may offer instruction in addition to the 12 hours required for a  
16 license, but the **department** [BOARD] may not issue a license to a school of  
17 manicuring if the school requires its students to complete more than 12 hours of the  
18 required instruction or training in health, safety, and hygiene concerns before the  
19 school will certify that the student has completed the school's manicuring course for  
20 purposes of AS 08.13.080(e).

21 \* **Sec. 23.** AS 08.13.110(e) is amended to read:

22 (e) A school of manicuring may seek approval from the **department**  
23 [BOARD] for a curriculum designed to qualify students for an advanced manicurist  
24 endorsement. The **department** [BOARD] shall establish the curriculum requirements  
25 applicable under this subsection through its authority under (a) of this section.

26 \* **Sec. 24.** AS 08.13.120 is amended to read:

27 **Sec. 08.13.120. Shop license.** (a) The **department** [BOARD] shall adopt  
28 regulations for the licensing of shops. The regulations must require that a shop for  
29 tattooing, permanent cosmetic coloring, or body piercing be inspected and certified by  
30 the Department of Environmental Conservation as being in compliance with the  
31 regulations adopted under AS 44.46.020 before a shop license may be issued under

1 this subsection. A shop owner shall be licensed to operate a shop without examination,  
2 but, unless the shop owner is a practitioner, the shop owner may not conduct business  
3 without employing a manager who is a practitioner. This subsection does not apply to  
4 a shop for the practice of barbering, hairdressing, hair braiding, or esthetics located in  
5 a community having a population of less than 1,000 people that is not within 25 miles  
6 of a community of more than 1,000 people.

7 (b) The regulations adopted under (a) of this section must include provisions  
8 under which the **department** [BOARD] may issue a temporary shop license to a  
9 person who has a license or temporary permit under this chapter to practice tattooing,  
10 permanent cosmetic coloring, or body piercing. The temporary shop license authorized  
11 under this subsection may only be issued to cover a site where the practitioner intends  
12 to hold a workshop or to demonstrate techniques as part of a convention or other  
13 special event, as defined by the **department** [BOARD], that includes other  
14 practitioners of tattooing, permanent cosmetic coloring, or body piercing. Each  
15 practitioner of tattooing, permanent cosmetic coloring, or body piercing who holds a  
16 workshop or demonstrates techniques at a convention or special event shall have a  
17 separate temporary shop license and a license or temporary permit under this chapter  
18 to practice tattooing, permanent cosmetic coloring, or body piercing. The **department**  
19 [BOARD] shall issue a temporary shop license upon receipt of an application from a  
20 practitioner demonstrating compliance with the regulations adopted under this section  
21 and payment of the appropriate fee; however, the temporary shop license may be  
22 summarily revoked, without refunding of the fee, if the Department of Environmental  
23 Conservation determines after an inspection that the cleanliness or sanitation  
24 conditions at the site covered by the temporary license pose a clear and immediate  
25 danger to the public health or safety. A licensee may appeal a summary revocation  
26 under this subsection to the superior court.

27 \* **Sec. 25.** AS 08.13.140 is amended to read:

28 **Sec. 08.13.140. Lapsed license.** A lapsed license may be reinstated if the  
29 license has not been lapsed for a period of more than three years, or otherwise at the  
30 discretion of the **department** [BOARD], and all renewal and delinquent fees for the  
31 period during which the license has been lapsed are paid.



1 \* **Sec. 26.** AS 08.13.150 is amended to read:

2           **Sec. 08.13.150. Disciplinary sanctions and grounds for refusal of a license**  
3 **or permit.** The department [BOARD] may, in addition to the actions authorized  
4 under AS 08.01.075, refuse, suspend, or revoke a license, student permit, temporary  
5 license, or temporary permit for failure to comply with this chapter, with a regulation  
6 adopted under this chapter, with a regulation adopted by the Department of  
7 Environmental Conservation under AS 44.46.020, or with an order of the department  
8 [BOARD].

9 \* **Sec. 27.** AS 08.13.160(e) is amended to read:

10           (e) The department [BOARD] shall adopt regulations to permit a person  
11 licensed under this chapter to practice barbering, hairdressing, hair braiding,  
12 manicuring, or esthetics outside a licensed shop or school for limited purposes  
13 including

14                           (1) care of clients confined to an institution or health care facility;

15                           (2) care of clients with limited mobility;

16                           (3) participation in charitable events; and

17                           (4) participation in workshops or demonstrations of techniques or  
18 products.

19 \* **Sec. 28.** AS 08.13.170 is amended to read:

20           **Sec. 08.13.170. Temporary permits.** The department shall issue a temporary  
21 permit to an applicant for licensing who holds a license to practice barbering,  
22 hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic  
23 coloring, or body piercing in another state. The permit is valid until the department  
24 [BOARD] either issues a permanent license or rejects the application. The  
25 department [BOARD] shall act on an application within six months.

26 \* **Sec. 29.** AS 08.13.180 is amended to read:

27           **Sec. 08.13.180. Student permits.** A person attending a licensed school of  
28 barbering, hairdressing, manicuring, or esthetics and a person apprenticed to a licensed  
29 instructor in a shop approved by the department [BOARD] or receiving training from  
30 a practitioner of tattooing, permanent cosmetic coloring, or body piercing shall obtain  
31 a student permit. A student permit to practice barbering or hairdressing is valid for two

1 years. A student permit to practice esthetics, tattooing, permanent cosmetic coloring,  
2 or body piercing is valid for one year. A student permit may not be renewed, but, upon  
3 application, the department [BOARD] may issue a new permit to the same person or  
4 extend an expired permit to the date of the next scheduled examination. Credit earned  
5 under an expired student permit may be transferred to a new permit as determined by  
6 the department [BOARD].

7 \* **Sec. 30.** AS 08.13.195(a) is amended to read:

8 (a) In addition to any other provision of law, if a person violates AS 08.13.070  
9 or 08.13.217, the department [BOARD] may enter an order levying a civil penalty.

10 \* **Sec. 31.** AS 08.13.195(b) is amended to read:

11 (b) A civil penalty levied under this section may not exceed \$5,000 for each  
12 offense. In levying a civil penalty, the department [BOARD] shall set the amount of  
13 the penalty imposed under this section after taking into account appropriate factors,  
14 including the seriousness of the violation, the economic benefit resulting from the  
15 violation, the history of violations, and other matters the department [BOARD]  
16 considers appropriate.

17 \* **Sec. 32.** AS 08.13.195(c) is amended to read:

18 (c) Before issuing an order under this section, the department [BOARD] shall  
19 provide the person written notice and the opportunity to request, within 30 days of  
20 issuance of notice by the department [BOARD], a hearing on the record.

21 \* **Sec. 33.** AS 08.13.195(d) is amended to read:

22 (d) In connection with proceedings under (a) and (b) of this section, the  
23 department [BOARD] may issue subpoenas to compel the attendance and testimony  
24 of witnesses and the disclosure of evidence, and may request the attorney general to  
25 bring an action to enforce a subpoena.

26 \* **Sec. 34.** AS 08.13.195(f) is amended to read:

27 (f) If a person fails to pay a civil penalty within 30 days after entry of an order  
28 under (a) of this section, or if the order is stayed pending an appeal, within 10 days  
29 after the court enters a final judgment in favor of the department [BOARD] of an  
30 order appealed under (e) of this section, the department [BOARD] shall notify the  
31 attorney general. The attorney general may commence a civil action to recover the

1 amount of the penalty.

2 \* **Sec. 35.** AS 08.13.210 is amended to read:

3 **Sec. 08.13.210. Health and sanitary conditions.** (a) Health and sanitary  
4 conditions in shops and schools of

5 (1) barbering, hairdressing, hair braiding, manicuring, and esthetics  
6 shall be supervised by the **Department of Commerce, Community, and Economic**  
7 **Development** [BOARD];

8 (2) tattooing, permanent cosmetic coloring, and body piercing shall be  
9 supervised by the Department of Environmental Conservation.

10 (b) The Department of Environmental Conservation shall conduct an annual  
11 inspection of each shop licensed for the practice of tattooing, permanent cosmetic  
12 coloring, or body piercing to ensure that the shop meets the department's standards of  
13 cleanliness and sanitation established under AS 44.46.020. If the Department of  
14 Environmental Conservation determines that the shop is not in compliance with **its**  
15 **regulations** [A REGULATION OF THE DEPARTMENT], the **Department of**  
16 **Environmental Conservation** [DEPARTMENT] shall report the violation to the  
17 **Department of Commerce, Community, and Economic Development** [BOARD]  
18 and take appropriate action under its own regulations.

19 \* **Sec. 36.** AS 08.13.215 is amended to read:

20 **Sec. 08.13.215. Notification requirements for tattooing, permanent**  
21 **cosmetic coloring, and body piercing.** (a) Before performing a tattooing, permanent  
22 cosmetic coloring, or body piercing procedure on a client, a practitioner shall give  
23 written educational information, approved by the **department** [BOARD], to the client.

24 (b) After completing a tattooing, permanent cosmetic coloring, or body  
25 piercing procedure on a client, the practitioner shall give written aftercare instructions,  
26 approved by the **department** [BOARD], to the client. The written instructions

27 (1) must include advice to the client to consult a physician at the first  
28 sign of infection;

29 (2) must contain the name, address, and telephone number of the shop  
30 where the procedure was performed;

31 (3) shall be signed and dated by the client and the practitioner; the

1 practitioner shall keep the original and provide a copy to the client.

2 (c) The owner of a shop for tattooing, permanent cosmetic coloring, or body  
3 piercing shall prominently display

4 (1) a copy of the statement provided by the **department** [BOARD]  
5 under AS 08.13.030(b) that advises the public of the health risks and possible  
6 consequences of tattooing, permanent cosmetic coloring, or body piercing, as  
7 applicable;

8 (2) the names, addresses, and telephone numbers of the Department of  
9 Commerce, Community, and Economic Development and the Department of  
10 Environmental Conservation and a description of how a complaint about the shop or a  
11 practitioner in the shop may be filed with either entity [OR WITH THE BOARD].

12 \* **Sec. 37.** AS 08.13.220 is amended by adding a new paragraph to read:

13 (17) "department" means the Department of Commerce, Community,  
14 and Economic Development.

15 \* **Sec. 38.** AS 44.62.330(a)(30) is amended to read:

16 (30) **Department of Commerce, Community, and Economic**  
17 **Development concerning the licensing and regulation of barbers and hairdressers**  
18 **under AS 08.13** [BOARD OF BARBERS AND HAIRDRESSERS];

19 \* **Sec. 39.** AS 08.03.010(c)(4); AS 08.13.010, 08.13.050, and 08.13.220(3) are repealed.

20 \* **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to  
21 read:

22 TRANSITION. (a) The terms of the members of the Board of Barbers and  
23 Hairdressers established under AS 08.13.010 terminate on the effective date of this Order.

24 (b) Employees of the Board of Barbers and Hairdressers whose duties have been  
25 transferred by this Order to the Department of Commerce, Community, and Economic  
26 Development shall be transferred to the Department of Commerce, Community, and  
27 Economic Development on the effective date of this Order.

28 (c) Litigation, hearings, investigations, and other proceedings pending under a law  
29 repealed or amended by this Order, or in connection with a function transferred by this Order,  
30 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
31 provided for in this Order.

1 (d) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
 2 affected by this Order, and in effect on the effective date of this Order, remain in effect  
 3 notwithstanding this Order's taking effect.

4 (e) Certificates, licenses, orders, and regulations in effect on the effective date of this  
 5 Order that were issued or adopted under the authority of a law amended or repealed by this  
 6 Order, or in connection with a function transferred by this Order, remain in effect for the term  
 7 issued and shall be enforced by the agency to which the function is transferred under this  
 8 Order until revoked, vacated, or amended by the agency to which the function is transferred.

9 (f) Records, equipment, appropriations, and other property of an agency of the state  
 10 whose functions are transferred under this Order shall be transferred to implement the  
 11 provisions of this Order.

12 \* **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to  
 13 read:

14 REVISOR INSTRUCTION. The revisor of statutes is requested to change the heading  
 15 of article 1 of AS 08.13 from "Board of Barbers and Hairdressers" to "Barbers and  
 16 Hairdressers."

17 \* **Sec. 42.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
 Mike Dunleavy  
 Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

### EXECUTIVE ORDER NO. 130

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions relating to the certification and regulation of the  
7 practice of midwifery from the Board of Certified Direct-Entry Midwives to the Department  
8 of Commerce, Community, and Economic Development. Additionally, with the transfer of  
9 these functions, I find that there is no longer a need for the Board of Certified Direct-Entry  
10 Midwives and its elimination is in the best interests of efficient administration. These actions  
11 will encourage the development of expertise in the profession, eliminate duplication of  
12 function, and provide a single point of responsibility for state policy relating to the practice of  
13 midwifery.

14 \* **Sec. 2.** AS 08.01.010(17) is amended to read:

15 (17) **regulation of direct-entry midwives under AS 08.65** [BOARD  
16 OF CERTIFIED DIRECT-ENTRY MIDWIVES (AS 08.65.010)];

17 \* **Sec. 3.** AS 08.65.030 is amended to read:

18 **Sec. 08.65.030. Duties and powers of the department** [BOARD]. (a) The  
19 **department** [BOARD] shall

20 (1) examine applicants and issue certificates to those applicants it finds  
21 qualified;

22 (2) adopt regulations establishing certification and certificate renewal  
23 requirements;

24 (3) issue permits to apprentice direct-entry midwives;

25 (4) hold hearings and order the disciplinary sanction of a person who  
26 violates this chapter or a regulation of the **department** [BOARD];

1 (5) supply forms for applications, licenses, permits, certificates, and  
2 other papers and records;

3 (6) enforce the provisions of this chapter and adopt regulations  
4 necessary to make the provisions of this chapter effective;

5 (7) approve curricula and adopt standards for basic education, training,  
6 and apprentice programs;

7 (8) provide for surveys of the basic direct-entry midwife education  
8 programs in the state at the times it considers necessary;

9 (9) approve education, training, and apprentice programs that meet the  
10 requirements of this chapter and of the **department** [BOARD], and deny, revoke, or  
11 suspend approval of those programs for failure to meet the requirements;

12 (10) adopt regulations establishing practice requirements for certified  
13 direct-entry midwives under AS 08.65.140.

14 (b) The **department** [BOARD] may by regulation require that a certified  
15 direct-entry midwife undergo a uniform or random period of peer review to ensure the  
16 quality of care provided by the certified direct-entry midwife.

17 \* **Sec. 4.** AS 08.65.050 is amended to read:

18 **Sec. 08.65.050. Qualifications for license.** The **department** [BOARD] shall  
19 issue a certificate to practice direct-entry midwifery to a person who

20 (1) applies on a form provided by the **department** [BOARD];

21 (2) pays the fees required under AS 08.65.100;

22 (3) furnishes evidence satisfactory to the **department** [BOARD] that  
23 the person has not engaged in conduct that is a ground for imposing disciplinary  
24 sanctions under AS 08.65.110;

25 (4) furnishes evidence satisfactory to the **department** [BOARD] that  
26 the person has completed a course of study and supervised clinical experience; the  
27 study and experience must be of at least one year's duration;

28 (5) successfully completes the examination required by the  
29 **department** [BOARD].

30 \* **Sec. 5.** AS 08.65.060 is amended to read:

31 **Sec. 08.65.060. Examinations.** The **department** [BOARD] shall conduct

1 examinations at least once each year. Examinations may be written, oral, or practical  
 2 or a combination of these. The **department** [BOARD] shall utilize the examination  
 3 provided by a nationally certified midwives organization recognized by the  
 4 **department** [BOARD]. An applicant who has failed the examination may not retake  
 5 the examination for a period of six months. An applicant who has failed the  
 6 examination more than one time may not retake the examination unless the applicant  
 7 has participated in or successfully completed further education and training programs  
 8 as prescribed by the **department** [BOARD]. The **department** [BOARD] may require  
 9 an applicant to pass an examination about Alaska laws that are applicable to the  
 10 profession of direct-entry midwives.

11 \* **Sec. 6.** AS 08.65.070 is amended to read:

12 **Sec. 08.65.070. Licensure by credentials.** The **department** [BOARD] may  
 13 by regulation provide for the certification without examination of a person who meets  
 14 the requirements of AS 08.65.050(1) - (4), who is currently licensed in another state  
 15 with licensing requirements at least equivalent in scope, quality, and difficulty to those  
 16 of this state, and who has passed the national examination required of certified direct-  
 17 entry midwives in this state. At a minimum, an applicant for certification by  
 18 credentials

19 (1) may not be the subject of an unresolved complaint or disciplinary  
 20 action before a regulatory authority in this state or another jurisdiction;

21 (2) may not have failed the examination for a certificate or license to  
 22 practice midwifery in this state;

23 (3) may not have had a certificate or license to practice midwifery  
 24 revoked in this state or another jurisdiction;

25 (4) shall submit proof of continued competency satisfactory to the  
 26 **department** [BOARD]; and

27 (5) shall pay the required fees.

28 \* **Sec. 7.** AS 08.65.080 is amended to read:

29 **Sec. 08.65.080. Renewal.** A certificate issued under AS 08.65.050 or  
 30 08.65.070 expires on a date determined by the **department** [BOARD] and may be  
 31 renewed every two years upon payment of the required fee and the submission of



1 evidence satisfactory to the department [BOARD] that the certified direct-entry  
2 midwife has met the continuing education requirements of the department [BOARD],  
3 has demonstrated continued practical professional competence under regulations  
4 adopted by the department [BOARD], and has not committed an act that is a ground  
5 for discipline under AS 08.65.110.

6 \* **Sec. 8.** AS 08.65.090 is amended to read:

7 **Sec. 08.65.090. Apprentice direct-entry midwives.** (a) The department  
8 [BOARD] shall issue a permit to practice as an apprentice direct-entry midwife to a  
9 person who satisfies the requirements of AS 08.65.050(1) - (3) and who has been  
10 accepted into a program of education, training, and apprenticeship approved by the  
11 department [BOARD] under AS 08.65.030. A permit application under this section  
12 must include information the department [BOARD] may require. The permit is valid  
13 for a term of two years and may be renewed in accordance with regulations adopted by  
14 the department [BOARD].

15 (b) An apprentice direct-entry midwife may perform all the activities of a  
16 certified direct-entry midwife if supervised in a manner prescribed by the department  
17 [BOARD] by

18 (1) a certified direct-entry midwife who has been licensed and  
19 practicing in this state for at least two years and has acted as a primary or assistant  
20 midwife at 50 or more births since the date the certified direct-entry midwife was first  
21 licensed;

22 (2) a certified direct-entry midwife who has been licensed for at least  
23 two years in a state with licensing requirements at least equivalent in scope, quality,  
24 and difficulty to those of this state at the time of licensing, has practiced midwifery for  
25 the last two years, and has acted as a primary or assistant midwife at 50 or more births  
26 since the date the certified direct-entry midwife was first licensed;

27 (3) a physician licensed in this state with an obstetrical practice at the  
28 time of undertaking the apprenticeship; or

29 (4) a certified nurse midwife licensed by the Board of Nursing in this  
30 state with an obstetrical practice at the time of undertaking the apprenticeship.

31 \* **Sec. 9.** AS 08.65.110 is amended to read:

1           **Sec. 08.65.110. Grounds for discipline, suspension, or revocation of**  
 2 **certification.** The **department** [BOARD] may impose a disciplinary sanction on a  
 3 person holding a certificate or permit under this chapter if the **department** [BOARD]  
 4 finds that the person

5                   (1) secured a certificate or permit through deceit, fraud, or intentional  
 6 misrepresentation;

7                   (2) engaged in deceit, fraud, or intentional misrepresentation in the  
 8 course of providing professional services or engaging in professional activities;

9                   (3) advertised professional services in a false or misleading manner;

10                  (4) has been convicted of a felony or other crime that affects the  
 11 licensee's ability to continue to practice competently and safely;

12                  (5) intentionally or negligently engaged in or permitted the  
 13 performance of client care by persons under the certified direct-entry midwife's  
 14 supervision that does not conform to minimum professional standards regardless of  
 15 whether actual injury to the client occurred;

16                  (6) failed to comply with this chapter, with a regulation adopted under  
 17 this chapter, or with an order of the **department** [BOARD];

18                  (7) continued to practice after becoming unfit due to

19                           (A) professional incompetence;

20                           (B) failure to keep informed of current professional practices;

21                           (C) addiction or severe dependency on alcohol or other drugs  
 22 that impairs the ability to practice safely;

23                           (D) physical or mental disability;

24                  (8) engaged in lewd or immoral conduct in connection with the  
 25 delivery of professional service to clients.

26 \* **Sec. 10.** AS 08.65.120 is amended to read:

27           **Sec. 08.65.120. Disciplinary sanctions.** (a) When it finds that a person  
 28 holding a certificate or permit is guilty of an offense under AS 08.65.110, the  
 29 **department** [BOARD], in addition to the powers provided in AS 08.01.075, may  
 30 impose the following sanctions singly or in combination:

31                   (1) permanently revoke a certificate or permit to practice;

1 (2) suspend a certificate or permit for a determinate period of time;  
 2 (3) censure a person holding a certificate or permit;  
 3 (4) issue a letter of reprimand;  
 4 (5) place a person holding a certificate or permit on probationary status  
 5 and require the person to

6 (A) report regularly to the department [BOARD] upon matters  
 7 involving the basis of probation;

8 (B) limit practice to those areas prescribed;

9 (C) continue professional education until a satisfactory degree  
 10 of skill has been attained in those areas determined by the department  
 11 [BOARD] to need improvement;

12 (6) impose limitations or conditions on the practice of a person holding  
 13 a certificate or permit.

14 (b) The department [BOARD] may withdraw probationary status if it finds  
 15 that the deficiencies that required the sanction have been remedied.

16 (c) The department [BOARD] may summarily suspend a license before final  
 17 hearing or during the appeals process if the department [BOARD] finds that the  
 18 licensee poses a clear and immediate danger to the public health and safety if the  
 19 licensee continues to practice. A person whose license is suspended under this section  
 20 is entitled to a hearing conducted by the office of administrative hearings  
 21 (AS 44.64.010) not later than seven days after the effective date of the order, and the  
 22 person may appeal the suspension after a hearing to a court of competent jurisdiction.

23 (d) The department [BOARD] may reinstate a certificate or permit that has  
 24 been suspended or revoked if the department [BOARD] finds after a hearing that the  
 25 applicant is able to practice with reasonable skill and safety.

26 (e) The department [BOARD] shall seek consistency in the application of  
 27 disciplinary sanctions, and significant departure from prior decisions involving similar  
 28 situations shall be explained in findings of fact or orders.

29 \* **Sec. 11.** AS 08.65.140 is amended to read:

30 **Sec. 08.65.140. Required practices.** The department [BOARD] shall adopt  
 31 regulations regarding the practice of direct-entry midwifery. At a minimum, the

1 regulations must require that a certified direct-entry midwife

2 (1) recommend, before care or delivery of a client, that the client  
3 undergo a physical examination performed by a physician, physician assistant, or  
4 advanced practice registered nurse who is licensed in this state;

5 (2) obtain informed consent from a client before onset of labor;

6 (3) comply with AS 18.15.150 regarding taking of blood samples,  
7 AS 18.15.200 regarding screening of phenylketonuria (PKU), AS 18.50.160 regarding  
8 birth registration, AS 18.50.230 regarding registration of deaths, AS 18.50.240  
9 regarding fetal death registration, and regulations adopted by the Department of  
10 Health concerning prophylactic treatment of the eyes of newborn infants;

11 (4) not knowingly deliver a woman with certain types of health  
12 conditions, prior history, or complications as specified by the **department** [BOARD].

13 \* **Sec. 12.** AS 08.65.190(3) is amended to read:

14 (3) "practice of midwifery" means providing necessary supervision,  
15 health care, preventative measures, and education to women during pregnancy, labor,  
16 and the postpartum period; conducting deliveries on the midwife's own responsibility;  
17 providing immediate postpartum care of the newborn infant, well-baby care for the  
18 infant through the age of four weeks, and preventative measures for the infant;  
19 identifying physical, social, and emotional needs of the newborn and the woman;  
20 arranging for consultation, referral, and continued involvement of the midwife on a  
21 collaborative basis when the care required extends beyond the scope of practice of the  
22 midwife; providing direct supervision of student and apprentice midwives; and  
23 executing emergency measures in the absence of medical assistance, as specified in  
24 regulations adopted by the **department** [BOARD].

25 \* **Sec. 13.** AS 44.62.330(a)(36) is amended to read:

26 (36) **Department of Commerce, Community, and Economic**  
27 **Development concerning the licensing and regulation of direct-entry midwives**  
28 **under AS 08.65** [BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES];

29 \* **Sec. 14.** AS 08.03.010(c)(8); AS 08.65.010, 08.65.020, and 08.65.190(1) are repealed.

30 \* **Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

1           TRANSITION. (a) The terms of the members of the Board of Certified Direct-Entry  
2 Midwives established under AS 08.65.010 terminate on the effective date of this Order.

3           (b) Litigation, hearings, investigations, and other proceedings pending under a law  
4 repealed or amended by this Order, or in connection with a function transferred by this Order,  
5 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
6 provided for in this Order.

7           (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
8 affected by this Order, and in effect on the effective date of this Order, remain in effect  
9 notwithstanding this Order's taking effect.

10          (d) Certificates, licenses, orders, and regulations in effect on the effective date of this  
11 Order that were issued or adopted under the authority of a law amended or repealed by this  
12 Order, or in connection with a function transferred by this Order, remain in effect for the term  
13 issued and shall be enforced by the agency to which the function is transferred under this  
14 Order until revoked, vacated, or amended by the agency to which the function is transferred.

15          (e) Records, equipment, appropriations, and other property of an agency of the state  
16 whose functions are transferred under this Order shall be transferred to implement the  
17 provisions of this Order.

18       \* **Sec. 16.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

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Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24  
 Referred: Transportation

Received in the House: 1/15/24; Introduced: 1/16/24  
 Referred: Transportation

### EXECUTIVE ORDER NO. 131

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
 2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
 4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
 6 administration to reorganize the membership of the Alaska Marine Highway Operations  
 7 Board.

8 \* **Sec. 2.** AS 19.65.120(a) is amended to read:

9 (a) The board is composed of the deputy commissioner of transportation and  
 10 public facilities assigned to the Alaska marine highway system and the following eight  
 11 public members, each of whom must be a resident of the state:

12 (1) one representative, who may be retired, of a recognized union that  
 13 represents employees of the Alaska marine highway system, appointed by the  
 14 governor;

15 (2) one representative of an Alaska Native organization or tribe who is  
 16 from a community served by the Alaska marine highway system, appointed by the  
 17 governor;

18 (3) six public members

19 [(A)] who collectively have experience in enterprise,  
 20 architecture, business operations, financial management, risk management,  
 21 logistics, supply chain management, engineering, project management and  
 22 controls, marine operations, strategy, regulatory compliance, ship maintenance,  
 23 construction, and repair, quality management, continuous improvement, sales,  
 24 marketing, communications, customer interface, or experience management, [;

25 (B) TWO OF WHOM ARE] appointed by the governor [,  
 26 TWO OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE

1 OF REPRESENTATIVES AND WHO SERVE AT THE PLEASURE OF  
 2 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TWO OF  
 3 WHOM ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND  
 4 WHO SERVE AT THE PLEASURE OF THE PRESIDENT OF THE  
 5 SENATE].

6 \* **Sec. 3.** AS 19.65.120(c) is amended to read:

7 (c) The members of the board, except for the deputy commissioner of  
 8 transportation and public facilities, shall serve staggered six-year terms. If a vacancy  
 9 arises on the board, the governor [, THE PRESIDENT OF THE SENATE, OR THE  
 10 SPEAKER OF THE HOUSE OF REPRESENTATIVES, AS APPLICABLE,] shall,  
 11 within 30 days after the vacancy arises, appoint a person to serve the balance of the  
 12 unexpired term. A person appointed to fill the balance of an unexpired term shall serve  
 13 on the board from the date of appointment until the expiration of the term.

14 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
 15 read:

16 TRANSITION. The terms of the current members of the Alaska Marine Highway  
 17 Operations Board terminate on the effective date of this Order. The governor may appoint to  
 18 the Alaska Marine Highway Operations Board a person who served on the board as it existed  
 19 before the effective date of this Order and who meets the qualifications of AS 19.65.120(a), as  
 20 amended by sec. 2 of this order. The terms of persons initially appointed to the Alaska Marine  
 21 Highway Operations Board under AS 19.65.120(a), as amended by sec. 2 of this Order, must  
 22 be set as provided in AS 19.65.120(c) so as to establish the staggering of terms.

23 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
 Mike Dunleavy  
 Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Resources

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Resources

## EXECUTIVE ORDER NO. 132

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions relating to the development and monitoring of the  
7 management plan for the Alaska Chilkat Bald Eagle Preserve from the Alaska Chilkat Bald  
8 Eagle Preserve Advisory Council to the Department of Natural Resources. Additionally, with  
9 the transfer of these functions, I find that there is no longer a need for the Alaska Chilkat Bald  
10 Eagle Preserve Advisory Council and its elimination is in the best interests of efficient  
11 administration. These actions will result in more effective program oversight and increased  
12 accountability for the preservation, protection, and management of the Alaska Chilkat Bald  
13 Eagle Preserve.

14 \* **Sec. 2.** AS 41.15.310(a) is amended to read:

15 (a) The division of forestry and fire protection shall consult with the division  
16 of parks and [,] the Department of Fish and Game, including each local fish and game  
17 advisory committee with jurisdiction in the area, [AND THE ALASKA CHILKAT  
18 BALD EAGLE PRESERVE ADVISORY COUNCIL] to promote effective, efficient,  
19 and coordinated administration of the Haines State Forest Resource Management Area  
20 and the Alaska Chilkat Bald Eagle Preserve for the values for which each is  
21 established.

22 \* **Sec. 3.** AS 41.21.616 is amended to read:

23 **Sec. 41.21.616. Regulations.** The department shall consult with the  
24 Department of Fish and Game, the United States Fish and Wildlife Service, a local  
25 governing body of a municipality, and any local fish and game advisory committees [,



1 AND THE ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY  
2 COUNCIL ESTABLISHED BY AS 41.21.625] before adoption of reasonable  
3 regulations governing public use and protection of the Alaska Chilkat Bald Eagle  
4 Preserve. The Department of Fish and Game shall consult with the department [AND  
5 THE ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL] in  
6 proposing regulations governing fish and game management in the Alaska Chilkat  
7 Bald Eagle Preserve for adoption by the Board of Fisheries or the Board of Game. The  
8 Department of Fish and Game and the department shall cooperate with the United  
9 States Fish and Wildlife Service in its administration of federal law governing the  
10 conservation of bald eagles.

11 \* **Sec. 4.** AS 41.21.618 is amended to read:

12 **Sec. 41.21.618. Traditional uses.** Continued opportunities for traditional uses  
13 of the Alaska Chilkat Bald Eagle Preserve at levels and by methods and means that are  
14 compatible with the protection of the bald eagle population are guaranteed. These  
15 historically compatible uses include but are not limited to hunting, trapping, fishing,  
16 berry picking, other subsistence and recreational uses, operation of motorized vehicles,  
17 and the harvesting of personal-use firewood. The level and method or means of  
18 traditional use may continue subject to reasonable regulation unless the director of the  
19 division of parks of the department [, AFTER CONSULTATION WITH THE  
20 ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL,] makes a  
21 finding that the level or method and means of use is causing significant resource  
22 damage that is inconsistent with AS 41.21.610(a) and (b). The director of the division  
23 of parks shall hold a public hearing in Haines and Klukwan before restricting a  
24 traditional use permitted under this section.

25 \* **Sec. 5.** AS 41.21.619 is amended to read:

26 **Sec. 41.21.619. Access and rights-of-way.** If privately owned land, University  
27 of Alaska grant land, a valid mining right, an existing mineral lease, a subsurface right  
28 on private land, or other valid occupancy is surrounded by state land of the Alaska  
29 Chilkat Bald Eagle Preserve or if privately owned land, University of Alaska grant  
30 land, federal land, municipal land, or state land not described in AS 41.21.611(b), a  
31 valid mining claim, subsurface right, or other valid occupancy on land not described in

1 AS 41.21.611(b) does not have reasonable, timely, and economically feasible access  
2 and egress by means other than crossing land designated as Alaska Chilkat Bald Eagle  
3 Preserve land in AS 41.21.611(b), the director of the division of parks shall grant a  
4 private landowner, the University of Alaska, a holder of a valid existing right to land,  
5 or a state agency, municipality, or federal agency the rights necessary to assure  
6 reasonable, timely, and economically feasible access and egress. A permittee or  
7 licensee of an owner of land or the holder of a valid existing right to land may use  
8 access and egress granted under this subsection. The rights of access and egress  
9 granted under this subsection are subject to reasonable regulation and stipulations  
10 established by the director of the division of parks [AFTER CONSULTING WITH  
11 THE ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL] to  
12 protect the purposes and values of the Alaska Chilkat Bald Eagle Preserve and to  
13 minimize adverse environmental impacts in the preserve. As used in this subsection,  
14 "valid existing right" includes but is not limited to a valid mining right, an existing  
15 mineral right, and a subsurface right. The director of the division of parks shall give  
16 favorable consideration to applications for utility rights-of-way that are compatible  
17 with AS 41.21.610(a) and (b).

18 \* **Sec. 6.** AS 41.21.620(a) is amended to read:

19 (a) The director of the division of parks [AND THE ALASKA CHILKAT  
20 BALD EAGLE ADVISORY COUNCIL ESTABLISHED UNDER AS 41.21.625], in  
21 written consultation with the United States Fish and Wildlife Service, the Department  
22 of Fish and Game, the Chilkat Indian Village, the Chilkoot Indian Association, and  
23 other appropriate groups, may use information gained through cooperative resource  
24 studies in the development of the management plan for the Alaska Chilkat Bald Eagle  
25 Preserve and in decisions affecting the management and administration of the  
26 preserve. The director of the division of parks [AND THE ADVISORY COUNCIL]  
27 shall investigate the need for additional research to increase the knowledge and  
28 understanding of the natural and cultural resources of the area and to enhance the  
29 effective management of the Alaska Chilkat Bald Eagle Preserve.

30 \* **Sec. 7.** AS 41.21.620 is amended by adding a new subsection to read:

31 (c) The management plan shall be presented at public hearings in Haines and

1 Klukwan before approval and implementation by the department.

2 \* **Sec. 8.** AS 41.21.621 is amended to read:

3 **Sec. 41.21.621. Additions or deletions to preserve.** An agency of the state  
4 may not participate or cooperate with a federal or private study considering additions  
5 to or deletions from the area of the Alaska Chilkat Bald Eagle Preserve without giving  
6 90 days' prior notice to the **director of the division of parks** [ALASKA CHILKAT  
7 BALD EAGLE PRESERVE ADVISORY COUNCIL]. The director of the division of  
8 parks may waive the notice required by this subsection on the director's determination  
9 [IN WRITING TO THE ADVISORY COUNCIL] that an emergency necessitates  
10 immediate study or a shorter period of notice [TO THE ADVISORY COUNCIL].

11 \* **Sec. 9.** AS 41.21.625 is repealed.

12 \* **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to  
13 read:

14 TRANSITION. (a) The terms of the members of the Alaska Chilkat Bald Eagle  
15 Preserve Advisory Council established under AS 41.21.625 terminate on the effective date of  
16 this Order.

17 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
18 repealed or amended by this Order, or in connection with a function transferred by this Order,  
19 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
20 provided for in this Order.

21 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
22 affected by this Order, and in effect on the effective date of this Order, remain in effect  
23 notwithstanding this Order's taking effect.

24 (d) Certificates, orders, and regulations in effect on the effective date of this Order  
25 that were issued or adopted under the authority of a law amended or repealed by this Order, or  
26 in connection with a function transferred by this Order, remain in effect for the term issued  
27 and shall be enforced by the agency to which the function is transferred under this Order until  
28 revoked, vacated, or amended by the agency to which the function is transferred.

29 (e) Records, equipment, appropriations, and other property of an agency of the state  
30 whose functions are transferred under this Order shall be transferred to implement the  
31 provisions of this Order.

1 \* **Sec. 11.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24  
 Referred: Judiciary

Received in the House: 1/15/24; Introduced: 1/16/24  
 Referred: State Affairs

### EXECUTIVE ORDER NO. 133

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
 2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
 4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
 6 administration to transfer the duties of the Criminal Justice Information Advisory Board to the  
 7 Department of Public Safety. Additionally, with the transfer of these functions, I find there is  
 8 no longer a need for a Criminal Justice Information Advisory Board and its elimination will  
 9 promote the efficient administration of the criminal history repository and other criminal  
 10 justice information systems.

11 \* **Sec. 2.** AS 12.62 is amended by adding a new section to read:

12 **Sec. 12.62.105. Duties of the department regarding criminal justice**  
 13 **information.** The department shall advise criminal justice agencies on matters  
 14 pertaining to the development and operation of the central repository described in  
 15 AS 12.62.110(1) and other criminal justice information systems, including providing  
 16 advice about regulations and procedures, and estimating the resources and costs of  
 17 those resources, needed to carry out the provisions of this chapter.

18 \* **Sec. 3.** AS 12.62.110 is amended to read:

19 **Sec. 12.62.110. Duties of the commissioner regarding information systems.**

20 The commissioner shall

21 (1) develop and operate a criminal justice information system to serve  
 22 as the state's central repository of criminal history record information, and to collect,  
 23 store, and release criminal justice information as provided in this chapter;

24 (2) [CONSULT WITH THE BOARD ESTABLISHED BY  
 25 AS 12.62.100 REGARDING MATTERS CONCERNING THE OPERATION OF

## 1 THE DEPARTMENT'S CRIMINAL JUSTICE INFORMATION SYSTEMS;

2 (3) provide a uniform crime reporting system for the periodic  
3 collection, analysis, and reporting of crimes, and compile and publish statistics and  
4 other information on the nature and extent of crime in the state;

5 (3) [(4)] cooperate with other agencies of the state, the criminal record  
6 repositories of other states, the Interstate Identification Index, the National Law  
7 Enforcement Telecommunications System, the National Crime Information Center,  
8 and other appropriate agencies or systems, in the development and operation of an  
9 effective interstate, national, and international system of criminal identification,  
10 records, and statistics; and

11 (4) [(5)] in accordance with AS 44.62 (Administrative Procedure Act),  
12 adopt regulations necessary to implement the provisions of this chapter; in adopting  
13 the regulations, the commissioner may consult with affected law enforcement agencies  
14 regarding the fiscal implications of the regulations; regulations may not be adopted  
15 under this section that affect procedures of the court system.

16 \* **Sec. 4.** AS 12.62.120(a) is amended to read:

17 (a) The commissioner, by regulation and after consultation with [THE  
18 BOARD AND] affected agencies, may designate which criminal justice agencies are  
19 responsible for reporting the events described in (b) of this section. An agency  
20 designated under this subsection shall report the events described in (b) of this section  
21 to the department, at the time, in the manner, and in the form specified by the  
22 department.

23 \* **Sec. 5.** AS 12.62.150(c) is amended to read:

24 (c) Every two years the department shall undertake an audit, and every four  
25 years shall obtain an independent audit, of the department's criminal justice  
26 information system that serves as the central repository and of a sample of other state  
27 and local criminal justice information systems, to verify adherence to the requirements  
28 of this chapter and other applicable laws. [THE DEPARTMENT SHALL PROVIDE  
29 TO THE BOARD THE FINAL REPORT OF EACH AUDIT.]

30 \* **Sec. 6.** AS 12.62.100 and 12.62.900(3) are repealed.

31 \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 TRANSITION. (a) The terms of the members of the Criminal Justice Information  
3 Advisory Board established under AS 12.62.100 terminate on the effective date of this Order.

4 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
5 repealed or amended by this Order, or in connection with functions transferred this Order,  
6 continue in effect and may be continued and completed notwithstanding a transfer, repeal, or  
7 amendment provided for in this Order.

8 (c) Agreements, contracts, rights, liabilities, and obligations created by or under a law  
9 repealed or affected by this Order, and in effect on the effective date of this Order, remain in  
10 effect notwithstanding this Order's taking effect.

11 (d) Certificates, orders, and regulations in effect on the effective date of this Order  
12 that were issued or adopted under the authority of a law amended or repealed by this Order, or  
13 in connection with a function transferred by this Order, remain in effect for the term issued  
14 and shall be enforced by the agency to which the function is transferred under this Order until  
15 revoked, vacated, or amended by the agency to which the function is transferred.

16 (e) Records, equipment, appropriations, and other property of an agency of the state  
17 whose functions are transferred under this Order shall be transferred to implement the  
18 provisions of this Order.

19 \* **Sec. 8.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Resources

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Resources

### EXECUTIVE ORDER NO. 134

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions of the Recreation Rivers Advisory Board to the  
7 Department of Natural Resources. Additionally, with the transfer of these functions, I find  
8 that there is no longer a need for the Recreation Rivers Advisory Board and its elimination is  
9 in the best interests of efficient administration.

10 \* **Sec. 2.** AS 41.23.440(a) is amended to read:

11 (a) The commissioner, in consultation with representatives of affected  
12 municipalities, shall prepare and adopt and may revise a management plan for each of  
13 the six recreation rivers and their recreation river corridors. In preparing or revising  
14 the plan, the commissioner and each affected municipality shall consult with the  
15 public and state agencies, including the commissioner of fish and game [AND THE  
16 ADVISORY BOARD ESTABLISHED UNDER AS 41.23.430]. In preparation or  
17 revision of the plan, the commissioner shall comply with the notice requirements of  
18 AS 38.05.945 and provide written notice by first-class mail to private property owners  
19 in the recreation river corridors and shall hold at least two public hearings in  
20 municipalities and communities near the recreation river and the recreation river  
21 corridor. The management plan shall establish long-range guidelines and management  
22 practices consistent with AS 41.23.400 to

23 (1) establish guidelines and restrictions, if necessary, for an activity  
24 occurring under AS 41.23.410 to implement the purposes of AS 41.23.400;

25 (2) protect, maintain, or enhance the fish and wildlife habitat and the  
26 free-flowing nature of the river;



1 (3) identify special recreation values and manage the level of intensity  
2 and types of recreation uses;

3 (4) designate management guidelines for development activities;

4 (5) designate management guidelines for commercial recreation  
5 activities or development, including recreation services;

6 (6) provide for necessary public services, such as transportation and  
7 utility corridors, crossing or fording corridors, public safety, and law enforcement;

8 (7) allow reasonable access to public land and private inholdings,  
9 including municipal land that is offered for sale or lease, and to land beyond or  
10 adjacent to the recreation river and the recreation river corridor;

11 (8) establish criteria and expedient timelines to review future proposed  
12 uses for compatibility with AS 41.23.400.

13 \* **Sec. 3.** AS 41.23.430 is repealed.

14 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
15 read:

16 TRANSITION. (a) The terms of the members of the Recreation Rivers Advisory  
17 Board established under AS 41.23.430 terminate on the effective date of this Order.

18 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
19 repealed or amended by this Order, or in connection with a function transferred by this Order,  
20 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
21 provided for in this Order.

22 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
23 affected by this Order, and in effect on the effective date of this Order, remain in effect  
24 notwithstanding this Order's taking effect.

25 (d) Certificates, orders, and regulations in effect on the effective date of this Order that  
26 were issued or adopted under the authority of a law amended or repealed by this Order, or in  
27 connection with a function transferred by this Order, remain in effect for the term issued and  
28 shall be enforced by the agency to which the function is transferred under this Order until  
29 revoked, vacated, or amended by the agency to which the function is transferred.

30 (e) Records, equipment, appropriations, and other property of an agency of the state  
31 whose functions are transferred under this Order shall be transferred to implement the

- 1 provisions of this Order.
- 2 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

Received in the House: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

### EXECUTIVE ORDER NO. 135

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to eliminate the Alaska Safety Advisory Council and transfer its duties to the  
7 Department of Labor and Workforce Development. This action will encourage the  
8 development of expertise, eliminate duplication of function, and provide a single point of  
9 responsibility for state policy relating to health, safety, and accident prevention.

10 \* **Sec. 2.** AS 18.60.030 is amended to read:

11 **Sec. 18.60.030. Duties of Department of Labor and Workforce**  
12 **Development.** The Department of Labor and Workforce Development shall

13 (1) study ways and means for prevention of accidents to persons on the  
14 streets and highways, in and on the water, in aircraft usage, in homes, on the farms, at  
15 schools, in industrial and commercial plants, and in public places;

16 (2) plan and execute safety programs, including educational  
17 campaigns, designed to reduce accidents in every field of activity;

18 (3) work in cooperation with official and unofficial organizations and  
19 instrumentalities in the state that are interested in the promotion of safety so that  
20 possible resources can be marshalled and utilized to reduce the menace of accidental  
21 death and injury;

22 (4) work toward obtaining better observance and enforcement of laws  
23 governing street and highway traffic, and assist in bringing about, wherever feasible,  
24 the application of modern engineering measures for the prevention of traffic accidents;

25 (5) confer with and make recommendations to the public agencies  
26 responsible for safeguarding the people against accidents, and especially with and to

1 the Department of Transportation and Public Facilities, the Department of Public  
2 Safety, the Department of Education and Early Development, the Department of  
3 Natural Resources, the Department of Health, and the heads or representatives of  
4 federal departments and agencies operating in the state particularly concerned with  
5 safety programs and accident prevention;

6 (6) establish and enforce occupational safety and health standards that  
7 prescribe requirements for safe and healthful working conditions for all employment,  
8 including state and local government employment, and the requirements are to be at  
9 least as effective as those requirements adopted by the United States Secretary of  
10 Labor under 29 U.S.C. 655 (§ 6 of P.L. 91-596);

11 (7) require an employer to maintain records and submit reports to the  
12 department which records and reports are necessary or appropriate for the enforcement  
13 of AS 18.60.010 - 18.60.105 and to maintain records and submit reports to the United  
14 States Secretary of Labor in the same manner and to the same extent as set out in  
15 federal law and regulations;

16 (8) require an employer to maintain records and submit reports  
17 appropriate for use in developing information regarding the causes and prevention of  
18 occupational accidents and illnesses;

19 (9) require an employer to make periodic inspections when necessary  
20 to carry out the record and reporting requirements of (7) and (8) of this section;

21 (10) participate in occupational safety and health programs if it finds  
22 they are necessary to meet the occupational health and safety needs of the state;

23 (11) execute on behalf of the state agreements or contracts necessary  
24 or desirable to enable the state to participate in occupational safety and health  
25 programs, and to receive and expend funds made available for programs of the state;

26 (12) annually publish a list of toxic and hazardous substances and  
27 physical agents;

28 (13) maintain a current set of OSHA form 20's or equivalent  
29 information for toxic and hazardous substances and for physical agents, and other  
30 information relevant to toxic and hazardous substances and physical agents;

31 (14) assist employers, upon request, to develop employee safety

1 education programs and to identify and obtain information on toxic and hazardous  
2 substances and physical agents;

3 **(15) make recommendations to the governor and the legislature on**  
4 **the achievement of a coordinated state policy and program for the safety and**  
5 **health of residents of the state;**

6 **(16) organize and hold an annual governor's safety conference to**  
7 **bring together citizens interested in safety and health matters; the department**  
8 **may charge a fee to attend the safety conference based on the estimated cost to**  
9 **organize and hold the conference.**

10 \* **Sec. 3.** AS 18.60.830, 18.60.835, and 18.60.840 are repealed.

11 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 TRANSITION. (a) The terms of the members of the Alaska Safety Advisory Council  
14 established under AS 18.60.830 terminate on the effective date of this Order.

15 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
16 repealed or amended by this Order, or in connection with a function transferred by this Order,  
17 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
18 provided for in this Order.

19 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
20 affected by this Order, and in effect on the effective date of this Order, remain in effect  
21 notwithstanding this Order's taking effect.

22 (d) Records, equipment, appropriations, and other property of an agency of the state  
23 whose functions are transferred under this Order shall be transferred to implement the  
24 provisions of this Order.

25 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor