

HOUSE BILL NO. 37

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TALERICO

Introduced: 2/20/19

Referred: House Special Committee on Energy, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting certain low voltage projects from contractor and electrical**
2 **administrator requirements."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.18.161 is amended to read:

5 **Sec. 08.18.161. Exemptions.** To the extent that this chapter governs
6 contractors, this chapter does not apply to

7 (1) an authorized representative of the United States government, the
8 State of Alaska, or a political subdivision or agency of the state;

9 (2) an officer of a court when acting within the scope of office;

10 (3) a public utility operating under the regulations of the Regulatory
11 Commission of Alaska in construction, maintenance, or development work incidental
12 to its own business;

13 (4) a construction, repair, or operation incidental to the discovering or
14 producing of petroleum or gas, or the drilling, testing, abandoning, or other operation

1 of a petroleum or gas well or a surface or underground mine or mineral deposit when
 2 performed by an owner or lessee;

3 (5) the sale or installation of finished products, materials, or articles of
 4 merchandise that are not actually fabricated into and do not become a permanent,
 5 fixed part of a structure;

6 (6) construction, alteration, or repair of personal property;

7 (7) a person who only furnished materials, supplies, or equipment
 8 without fabricating them into, or consuming them in the performance of, the work of
 9 the contractor;

10 (8) an owner who contracts for a project with a registered contractor;

11 (9) a person working on an existing structure on that person's own
 12 property, whether occupied by the person or not, and a person working on that
 13 person's own existing residence, whether owned by the person or not;

14 (10) an owner or tenant of commercial property who uses the owner's
 15 or tenant's own employees to do maintenance, repair, and alteration work on that
 16 property;

17 (11) an owner who acts as the owner's own contractor and in doing so
 18 performs the work independently or hires workers or subcontractors, purchases
 19 materials, and, as such, sees to the paying for all labor, subcontractors, and materials;
 20 in this case, the owner shall be limited to construction of one home, duplex, triplex,
 21 four-plex, or commercial building every two years; an owner who advertises the
 22 structure under construction for sale or sells the structure during the period of
 23 construction or within two years after the period of construction begins shall file, on
 24 forms provided by the department, a notice indicating that the owner is not engaged in
 25 a business for which the owner is required to register as a contractor under this
 26 chapter; for the purposes of this paragraph, construction begins on the date that is the
 27 earlier of when the owner

28 (A) begins the actual construction work; or

29 (B) enters into an agreement with another person for the other
 30 person to provide labor, to act as a subcontractor, or to provide materials for
 31 the construction;

1 (12) a person performing construction work incidental to farming,
 2 dairying, agriculture, horticulture, stock or poultry raising, mining, logging, fishing,
 3 clearing, or other work on the land in rural districts for fire prevention purposes, or
 4 access road building, unless the person is a licensee;

5 **(13) work on a low voltage project under one or more contracts,**
 6 **the aggregate contract price of which for labor and materials and all other items**
 7 **is less than \$10,000; this exemption does not apply when the work is only a part**
 8 **of a larger or major operation, whether undertaken by the same or a different**
 9 **contractor, or when the work is divided into contracts of amounts less than**
 10 **\$10,000 for the purpose of evasion of this chapter or otherwise; a contractor who**
 11 **performs work priced at \$2,500 or more under this exemption shall nevertheless**
 12 **keep in force public liability and property damage insurance with coverage in at**
 13 **least the amounts set out in AS 08.18.101; in this paragraph, "low voltage" means**
 14 **56 volts or less.**

15 * Sec. 2. AS 08.40.190(b) is amended to read:

16 (b) AS 08.40.005 - 08.40.200 do not apply to a person engaged in

17 (1) the manufacture, maintenance, or repair of electrical apparatus or
 18 equipment;

19 (2) electrical work, the cost of which does not exceed \$5,000,
 20 involving residences or small commercial establishments in communities that

21 (A) have a population of under 500 according to the latest
 22 available federal or state census or other census approved by the department;
 23 or

24 (B) are over 50 miles by air or water transportation from the
 25 business place of an electrical administrator licensed under AS 08.40.005 -
 26 08.40.200;

27 (3) electrical installation on residential property that is owned by the
 28 installer or a member of the installer's immediate family and not intended for sale at
 29 the time of making the installation;

30 (4) the operation, maintenance, or repair of a television or radio
 31 broadcasting system and the installation of a radio broadcasting system under 500

1 watts input power except for A.C. power supply and wiring;

2 (5) the installation, maintenance, and repair of elevators so long as the
3 work is performed by an agent or employee of the elevator industry and is confined to
4 the elevator control system, which system does not include the power supply, wiring,
5 and motor connection;

6 (6) the operation, maintenance, and repair of telephone, telegraph, and
7 intercommunication facilities;

8 (7) the installation, maintenance, and repair of fire alarm, intrusion
9 alarm, or other low voltage signaling systems of 48 volts to ground or less;

10 (8) the maintenance or repair of diesel electric engines installed on
11 heavy construction equipment, either in a shop or on a job site;

12 (9) the installation in a commercial water well of the submersible
13 pump motor and the wiring to the well pump system controls if the controls are
14 outside a building or a structure;

15 (10) the installation in a noncommercial water well of the submersible
16 pump motor and the wiring to the well pump system controls;

17 (11) electrical maintenance or repair work if the work is performed by
18 the person as an employee of an owner or tenant of commercial property as part of the
19 employee's work duties with respect to the property but is not offered or performed as
20 a service to the public;

21 **(12) the installation, maintenance, and repair of low voltage**
22 **telecommunications, broadband transmission, and video services; in this**
23 **paragraph,**

24 **(A) "broadband transmission" means a transmission that**
25 **has a large range of radio frequencies that can simultaneously transport**
26 **multiple signals and different types of signals;**

27 **(B) "low voltage" means 56 volts or less.**