

1 IN THE HOUSE

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2 HOUSE BILL NO. 61

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to safeguard life and property
7 from fire and personal injury from
8 electrical hazards; establishing a state
9 electrical code and a board of electrical
10 examiners; providing for the licensing and
11 bonding of electrical contractors; and
12 providing for fees and penalties."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

14 Section. ELECTRICAL CONTRACTORS TO OBTAIN LICENSE. In
15 order to safeguard life and property from electrical hazards, any
16 person, firm, partnership, or corporation engaged or offering to
17 engage in the business of electrical contractor as hereinafter
18 defined, shall be examined to see that he is qualified to under-
19 take and perform such work to the end that any such work will be
20 safely and properly installed in accordance with approved stan-
21 dards for such protection, and shall be licensed as hereinafter
22 provided; and it shall be unlawful for any person to engage in
23 such business or such work unless the terms of this Act shall
24 have been complied with.

25 Sec. 2. APPLICATION OF PROVISIONS OF THE ACT. The provi-
26 sions of this Act shall apply to all installation, alteration or
27 repair of electric wiring, conduits, devices, fixtures, appliances
28 or other electrical equipment or materials hereinafter defined as
29 electrical wiring, within or on public or private buildings,

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1 structures, or premises, except as follows:

2 (a) The provisions of this Act shall not apply to the
3 installation, alterations, or repair of electrical wiring for
4 the generation and distribution of electrical current up to the
5 service entrance or first point of contact on the consumer's
6 premises, where such wiring is an integral part of the system
7 owned and operated by an electrical public service corporation,
8 or the light and power department of a municipality in rendering
9 its duly authorized service as such.

10 (b) The provisions of this Act shall not apply to the
11 installation, alteration or repair of electrical equipment and
12 devices for the operation of signals or the transmission of
13 intelligence, where such work is an integral part of the communi-
14 cation system owned and operated by a telephone or telegraph
15 company in rendering its duly authorized service as such, or to
16 the signal or communications systems of railroad companies.

17 (c) The provisions of this Act shall not apply to the
18 installation, alteration or repair of electrical equipment used
19 for radio transmission in broadcasting or transmitting stations.

20 (d) The provisions of this Act shall not apply to minor
21 repair work, replacement of lamps, connection of portable devices
22 including radio receiving sets, television, or sound equipment, to
23 approved receptacles which have been permanently installed.

24 (e) The provisions of this Act shall not apply to the
25 installation by manufacturers of temporary wiring for testing
26 electrical apparatus or equipment, and wiring used as a component
27 part of a manufactured product.

28 (f) The provisions of this Act shall not apply to work
29 involved in the manufacture, assemblage, test or repair of elec-

1 trical apparatus, appliance or equipment in conjunction with the
2 operation of elevators, escalators or conveyors.

3 (g) The provisions of this Act shall not apply to the
4 alteration or repair of electric apparatus or other electrical
5 equipment in the operation of radio or television broadcasting
6 stations.

7 (h) The provisions of this Act shall not apply to the
8 installation, maintenance, or repair of tabulating, punching or
9 sorting machines.

10 Sec. 3. DEFINITIONS. As used in this Act, the following
11 words and phrases shall mean as follows:

12 (a) "Electrical Contractor" shall mean and include any
13 person, firm, partnership or corporation engaged in the business
14 of, or holding themselves out to the public as being engaged in
15 the business of installing or repairing, or contracting to install
16 or repair any electrical wiring, conduits, devices, fixtures,
17 equipment, or other electrical materials for carrying, using or
18 consuming electrical energy.

19 (b) "Electrical Wiring" shall mean and include all
20 wiring, fixtures, conduits, appliances, devices, equipment, over-
21 head or underground wiring systems, or any other equipment in
22 connection with the general distribution or utilization of elec-
23 trical energy.

24 Sec. 4. BOARD OF ELECTRICAL EXAMINERS. The Board of Elec-
25 trical Examiners shall consist of five (5) members as follows:

26 (a) Two electrical contractors.

27 (b) One journeyman electrician.

28 (c) One engineer representing the National Board of
29 Fire Underwriters.

1 (d) The Labor Commissioner.

2 The members of the Board of Electrical Examiners, other than
3 the Labor Commissioner, shall be appointed by the Governor from
4 candidates submitted by the electrical industry, and shall serve
5 for a period of two years or until their successors are named.

6 Sec. 5 SECRETARY TO THE BOARD. The Board shall appoint a
7 secretary who shall be responsible to the Board and keep all its
8 records.

9 Sec. 6. DUTIES AND COMPENSATION OF THE BOARD.

10 (a) The Board shall elect its own Chairman. The Board
11 shall hold regular quarterly meetings on March 15, June 15,
12 September 15 and December 15 of each year and may hold special
13 meetings at the call of the Chairman. The Board shall conduct
14 examinations at the quarterly meetings. Three members of the
15 Board shall constitute a quorum for the transaction of all busi-
16 ness before the Board.

17 (b) The Board shall make and issue rules and regula-
18 tions, among which shall be those relating to examinations, pass-
19 ing on the fitness and qualifications of applicants as super-
20 visors of electrical contractors licenses, and establishing stan-
21 dards for electrical products to be used in any installation
22 covered by the provisions of the state electrical code.

23 (c) Each member of the Board and the Secretary to the
24 Board, not otherwise compensated by public moneys, shall be reim-
25 bursed for transportation to and from the meeting place of the
26 Board, and shall be paid not more than \$20.00 for each day spent
27 in attendance at meetings of the Board.

28 Sec. 7. LICENSING OF ELECTRICAL CONTRACTORS.

29 (a) No person, firm, partnership or corporation shall

1 engage in the business of electrical contractor as defined in
2 this Act, unless such person, firm, partnership, or corporation
3 shall have passed an examination and been granted a license as an
4 electrical contractor by the Board.

5 (b) Each application for an electrical contractor's
6 license shall be on forms prescribed and furnished by the Board
7 and shall state the name of the applicant, his place of business,
8 and the name of the representative of the applicant who will act
9 as a supervisor of work to be done under the license.

10 (c) The said designated representative of each appli-
11 cant for an electrical contractor's license shall file his appli-
12 cation thirty (30) days prior to the date of examination and
13 shall be examined by the Board to determine his knowledge of the
14 installation of electrical wiring and of all rules and regula-
15 tions governing the same, and to determine the general qualifica-
16 tions and fitness of the applicant for executing the class of
17 work covered by the license.

18 (d) Each license issued in accordance with the provi-
19 sions of this Act shall specify the name of the person, firm,
20 partnership or corporation licensed, who shall be known as the
21 holder of the license, and shall also state the name of the per-
22 son who has passed the required examination and is designated
23 as the supervisor of the work to be done under said license.

24 (e) The person designated as supervisor, if the license
25 holder is a person, may be the holder himself; if the license
26 holder is a firm or partnership, may be a member of the firm or
27 partnership; or if the license holder is a corporation, may be an
28 officer of the corporation.

29 (f) The same person shall not be designated as super-

1 visor in more than one electrical contractor's license issued to
2 different persons, firms, partnerships or corporations.

3 (g) In the event that the business association of the
4 supervisor with any electrical contractor granted a license here-
5 under shall terminate, the holder of such license shall imme-
6 diately notify the Board of such termination and said license
7 shall become null and void within ninety (90) days after such
8 termination, unless another supervisor is qualified in accordance
9 with the above requirements.

10 (h) No license shall be transferable and is only valid
11 as to the electrical contractor designated therein.

12 (i) Before any electrical contractor's license shall
13 be granted and before any such license shall be renewed after ex-
14 piration thereof, the applicant shall pay to the Labor Commissioner
15 a fee of two hundred dollars (\$200.00).

16 (j) Each license shall expire one (1) year from the
17 date of issuance, unless sooner revoked for cause, and may be re-
18 newed prior to expiration by the holder thereof upon payment of
19 seventy-five dollars (\$75.00) within thirty (30) days of the date
20 of expiration.

21 (k) Each holder of a license shall prominently display
22 the same at his place of business.

23 (l) The Board shall issue a certificate of license to
24 each person, firm, or corporation that complies with this Act.
25 Said certificate shall contain the name of the electrical con-
26 tractor to whom the license is issued, the date of issue, and the
27 name of the supervisor who has passed the required examination.

28 (m) Within sixty (60) days of the passage of this Act,
29 the Board shall require all persons holding themselves out to be

1 electrical contractors to make application for license in the man-
2 ner provided in this Act. The Board shall issue licenses without
3 examination to those persons, firms, partnerships, or corporations
4 that can satisfy the Board that they have been conducting an
5 electrical contracting business for one year or more prior to the
6 passage of this Act.

7 (n) The license shall be issued upon condition that in
8 the installation of wires or equipment in this state to convey
9 electrical current and of apparatus to be operated by such current
10 the licensee will make such installations in substantial accord
11 with the National Electrical Code relating to such work, except in
12 incorporated cities and towns which by ordinances or building
13 codes prescribe the manner of such installations, and that in such
14 cities and towns the licensee will comply with the requirements
15 of the ordinance or building code of such cities and towns relat-
16 ing to and in effect at the time of entering into a contract for
17 such work.

18 Sec. 8. REVOCATION. An electrical contractor's license issued
19 in accordance with the provisions of this Act, may, after hearing,
20 be revoked or suspended for a specified length of time by the
21 Board, if the holder of such license shall willfully or by reason
22 of incompetence violate the provisions of the state electrical
23 code or any order of the Board.

24 Sec. 9. REVIEW OF DECISIONS. Any person, firm, partnership
25 or corporation may register an appeal with the Board for a review
26 of any decision of the Board itself, provided such appeal is made
27 in writing within twenty (20) days after notice of such decision
28 has been received by the complainant. Upon receipt of such appeal,
29 the Board shall proceed to determine whether the action complained

1 of was in conformity with the provisions of the law and the orders
2 of the Board issued hereunder, and within twenty (20) days after
3 its next regular or special meeting, shall render its decision
4 on such appeal.

5 Sec. 10. EXAMINATIONS AND RECORDS. The Board shall hold
6 not less than four examinations each year. Public notice shall
7 be given all examinations. Examination papers and applications
8 for license shall be preserved for at least three years, after
9 which time they may, at the discretion of the examiners, be
10 destroyed.

11 Records of the meetings of the Board shall be open for in-
12 spection at all times. The Board shall keep a record of all
13 licenses, and shall have printed a manual of its rules and regu-
14 lations for the conduct of examinations.

15 Sec. 11 INSTALLATIONS GOVERNED BY NATIONAL ELECTRICAL CODE.
16 All installations in Alaska of wires and equipment to convey
17 electric current, and installations of apparatus to be operated
18 by such current, excepting communicating wires and apparatus,
19 shall be made in substantial accord with the National Electrical
20 Code as approved by the American Standards Association as com-
21 piled and published from time to time. The provisions of this
22 section shall not apply in incorporated cities which by ordinance
23 or building code prescribe the manner in which wires or equip-
24 ment to convey electric current, and apparatus to be operated by
25 such current, shall be installed, if the provisions of the
26 National Electrical Code are used as the minimum standard in the
27 preparation of such ordinances or building codes and an inspec-
28 tion department is maintained and actual inspections are made.

29 Sec. 12. COPY OF NATIONAL ELECTRICAL CODE TO BE FILED AND
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1 TO CONSTITUTE STATE ELECTRICAL CODE: FURNISHING COPIES: ADMISSIBLE
2 EVIDENCE. The Labor Commissioner shall obtain and keep on file in
3 his office a copy of the latest edition of the National Electrical
4 Code relating to the installation of wires and equipment to convey
5 electric current and of electrical apparatus to be operated by
6 such current, so far as the same covers fire and personal accident
7 hazards, and shall have and certify to and deliver to all persons
8 licensed under the provisions of this Act and, upon request, to
9 the general public, at cost, copies of such code. For the pur-
10 poses of this Act, the latest edition of the National Electrical
11 Code as on file in the office of the Labor Commissioner on July 1
12 of each year shall constitute the state electrical code for the
13 following fiscal year. A printed copy of such code, certified
14 to as such by the commissioner shall be received in any court of
15 the state as conclusive evidence of the contents of the original
16 on file in the office of the Labor Commissioner upon the date
17 named in the certified copy.

18 Sec. 13. LABEL CERTIFYING INSTALLATION ACCORDING TO STATE,
19 ELECTRICAL CODE.

20 (a) Individuals, firms, cooperatives, corporations, or
21 municipalities selling electricity shall not be permitted to con-
22 nect with or energize any electrical installation except in plants
23 of public utilities unless the owner or licensed electrical con-
24 tractor has attached thereto a label furnished by the Labor Com-
25 missioner certifying that the installation has been made in accor-
26 dance with the state electrical code. The certifying label shall
27 not be required in incorporated cities that meet the requirements
28 of Section 11.

29 (b) The Labor Commissioner shall issue labels to be

1 attached to the distribution center of the electrical system
2 bearing the name of the licensed electrical contractor, with a
3 space to fill in the date of installation, whether partial or
4 complete installation and the signature of the licensed super-
5 visor. The Labor Commissioner shall only issue these labels to
6 a licensed electrical contractor and they shall be issued in
7 blocks of ten (10) or twenty-five (25) at two dollars (\$2.00) per
8 label. A special label will be issued to owners at two (\$2.00)
9 each providing the owner complies with Section 16.

10 Sec. 14. CONTRACTORS BONDED. Each electrical contractor
11 granted a license by the Board shall post a bond in the amount of
12 five thousand dollars (\$5,000.00) to indemnify against any
13 damages resulting from his failure to make electrical installa-
14 tions according to the state electrical code.

15 Sec. 15. SALE OF UNAPPROVED ELECTRICAL PRODUCTS PROHIBITED:
16 APPROVAL AND PROVISIONAL APPROVAL.

17 (a) No person shall sell, offer for sale, or dispose
18 of by gift or otherwise, any electrical products to be used in
19 any installation covered by the provisions of the state electri-
20 cal code, unless such electrical products are approved as herein
21 provided, except the materials, devices, appliances, apparatus or
22 equipment used or to be used by a public utility in or in connec-
23 tion with the rendering of its authorized service to the public.

24 (b) The term "approved", when applying to design and
25 construction of electrical products (materials, devices, fittings,
26 appliances and equipment) as used herein, shall mean products
27 which:

28 (1) Do not conflict with the requirements of the
29 state electrical code;

1 (2) Conform to a standard acceptable to the
2 Commissioner of Labor; and

3 (3) Are periodically certified and listed as so
4 conforming by competent organizations properly equipped and
5 qualified for experimental testing, inspections of the run
6 of products at factories and service-value determination
7 through field inspections.

8 (c) Electrical products which are not so certified or
9 listed, but which are deemed safe by the Labor Commissioner, may
10 be approved provisionally, but such provisional approval shall
11 not be given for types of products which are regularly certified
12 or listed, as described above, and shall apply only to the stock
13 of products actually inspected.

14 (d) Approved equipment may, at the discretion of the
15 Labor Commissioner, include equipment assembled from materials,
16 devices, fittings and appliances which are individually approved,
17 certified or listed, as provided above, but such equipment must
18 be disposed of only upon the approval of the commissioner.

19 Sec. 16. OWNER MAY DO HIS OWN WIRING. Nothing in this Act
20 shall prohibit any bona fide owner from personally installing
21 electrical wiring on his premises, provided he complies with the
22 following rules and regulations:

23 (a) Submit plans and specifications to the electrical
24 inspector for approval where required by an incorporated city.

25 (b) Make application for and secure an electrical per
26 mit where required in an incorporated city.

27 (c) File an affidavit with the Labor Commissioner or
28 electrical inspector in an incorporated city that he is qualified
29 and will personally install the work on his premises only, without

1 compensation or pay from anyone for his labor, nor will employ
2 anyone to assist him and that the installation shall comply with
3 the electrical code.

4 (d) He shall certify to the installation and purchase a
5 label from the Labor Commissioner to affix to the distribution
6 center.

7 Sec. 17. DISPOSITION OF RECEIPTS. All receipts from fees,
8 charges, costs, expenses and fines provided for in this Act shall
9 be collected by the Labor Commissioner, who shall pay the same
10 into the state treasury monthly.

11 Sec. 18. PENALTIES. Violations of any of the provisions of
12 this Act is punishable, upon conviction, by a fine not to exceed
13 one hundred dollars (\$100.00) or by sixty (60) days imprisonment,
14 or both such fine and imprisonment.

15 Sec. 19. MAINTENANCE OF ACTION OR SUIT BY UNLICENSED PER-
16 SONS PROHIBITED. No person carrying on, conducting or transacting
17 business as regulated by this Act shall be entitled to maintain
18 any suit or action in any of the courts of this state in respect
19 of such business or of work done in connection therewith, without
20 alleging and proving that such person was at the time of perform-
21 ing such work duly licensed as provided in this Act.

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