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IN THE HOUSE

BY MR. DEVEAU

HOUSE BILL NO. 311

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act establishing a board of electrical examiners; providing for the licensing of electrical contractors; providing fees and penalties; and providing for an effective date."

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

Section 1. There is hereby created a Board of Electrical Examiners which shall consist of three members all of whom shall be persons who are licensed electrical contractors as herein-after defined. The members of the board shall be appointed by the governor and confirmed by the legislature for staggered terms of three years, or until their successors are appointed, and may be removed at the pleasure of the governor.

Sec. 2. The board shall elect one of its members as chairman.

Sec. 3. The board shall hold a regular annual meeting and may hold special meetings at the call of the chairman of the board with prior approval of the governor. Two members shall constitute a quorum. The board shall issue rules and regulations, subject to the Administrative Procedures Act, relating to the examination and licensing of electrical contractors and the suspension or revocation of such licenses. Licensing examinations, under the supervision of the chairman of the board or his designee, shall be conducted at least twice during each year at any appro-

1 priate places in the state.

2 Sec. 4. a. The term "Electrical Contractor" shall mean
3 any person, firm, partnership or corporation engaged in the busi-
4 ness of, or purporting to be engaged in the business of, install-
5 ing or repairing, or contracting to install or repair, any
6 electrical wiring, conduits, devices, fixtures, equipment or
7 other electrical materials for transmitting, using or consuming
8 electrical energy.

9 b. The term "Electrical Wiring" shall mean and include
10 all wiring, fixtures, conduits, appliances, devices, equipment,
11 overhead or underground wiring systems, or any other equipment
12 in connection with the general distribution or utilization of
13 electrical energy.

14 c. No person, firm, partnership or corporation shall act
15 as an electrical contractor in Alaska without first being
16 licensed by the board.

17 d. Application for a license, and supporting information,
18 shall be made and given in such form as the board shall prescribe.
19 Each person applying shall be examined to determine his knowledge
20 of electrical installations and wiring, familiarity with the regu-
21 lations as laid down in the National Electrical Code and the
22 National Electrical Safety Code, both as approved by the American
23 Standards Association, other installation and safety regulations
24 approved by the American Standards Association, and his personal
25 skill and ability.

26 e. Each applicant, other than an individual, shall desig-
27 nate a supervisory employee or member of the firm to take the
28 required examination, who shall be designated as administrator
29 under the license. No person may qualify as administrator under

1 more than one license. If the relationship of the administrator
2 with the firm or corporation applicant is terminated, the license
3 shall become void within ninety days unless another administrator
4 is qualified by the board. Licenses issued hereunder shall be
5 valid for one year after issuance, unless sooner revoked or sus-
6 pended; are non-transferable, and may be renewed without further
7 examination by appropriate application.

8 f. Each successful applicant for examination shall receive
9 an appropriate certificate or license which shall thereafter be
10 prominently displayed, while in effect, in the holder's principal
11 place of business. Each applicant shall pay an original license
12 fee of \$100.00; the fee for renewal shall be \$50.00. Applicants
13 who have been engaged in the electrical contracting business in
14 Alaska for one year or more prior to the effective date of this
15 Act, shall upon making satisfactory showing of qualifications to
16 the board, be licensed without examination.

17 Sec. 5. a. The board may suspend or revoke any license upon
18 a finding that:

19 (1) The application therefor is fraudulent or misleading.

20 (2) The licensee has knowingly violated this Act or any
21 lawful rule, order or regulation of the board.

22 (3) The licensee is incompetent, or has engaged in
23 fraudulent practices.

24 b. Notice of any proposed suspension or revocation of license
25 shall be given in writing, stating the grounds therefor; all pro-
26 ceedings shall be governed by the provisions of the Administrative
27 Procedures Act.

28 Sec. 6. The board may make or cause to be made any special
29 inspection or investigation into the work of any licensee which

1 may be deemed necessary, and shall have the power to issue sub-
2 poenas and process compelling the attendance of any person and
3 the production of any papers or books, for the purpose of such
4 investigation and examination, and shall have the power to
5 administer oaths when required, and to petition any court of this
6 state to enforce such subpoenas and process or to compel such
7 testimony.

8 Sec. 7. Members of the board shall receive such payments,
9 per diem allowances and transportation expenses as are commen-
10 surate with those allowed and paid members of other state
11 examining and licensing boards.

12 Sec. 8. The budgeting, clerical and recording functions
13 of the Board of Electrical Examiners is assigned to the Depart-
14 ment of Labor.

15 Sec. 9. This Act shall not apply to electrical construction
16 and maintenance of electrical wiring for the generation and
17 distribution of electrical current where such wiring is an
18 integral part of a system owned and operated by a public service
19 corporation or the light and power department of a municipality
20 and the work is performed by the employees of that public utility
21 or municipality. This Act shall not apply to the operations of
22 telephone, telegraph, signal or communication systems of a
23 railroad or airline, television or radio broadcasting or to
24 persons or businesses engaged solely in the manufacture or repair
25 of electrical apparatus or equipment.

26 Sec. 10. No person is required to obtain an electrical
27 contractor's license to make an electrical installation on
28 residential property which is owned by the installer or a member
29 of his immediate family and not presently intended for sale.

1 Sec. 11. Any person or persons who shall violate any of
2 the provisions of this Act, or who shall knowingly violate any
3 valid rule, regulation or order of the board, shall be deemed
4 guilty of a misdemeanor, and upon conviction thereof may be
5 fined not more than \$300.00, or may be imprisoned for not more
6 than 60 days, or may be both fined and imprisoned.

7 Sec. 12. The fact that any section, subsection, sentence,
8 clause or phrase of this Act is declared invalid for any reason,
9 shall not affect the remaining portion of this Act.

10 Sec. 13. This Act shall take effect immediately upon its
11 passage and approval or upon its becoming law without such
12 approval.

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