

Original sponsor: McKinnon

Offered: 5/12/75
Referred: Commerce

1 IN THE HOUSE

BY THE LABOR AND MANAGEMENT COMMITTEE

2 CS FOR HOUSE BILL NO. 174

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE -- FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of plumbers and
7 electricians; and providing for an effective date."

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

9 *Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 85. BOARD OF PLUMBING EXAMINERS.

11 ARTICLE 1. BOARD OF PLUMBING EXAMINERS.

12 Sec. 08.85.010. CREATION AND MEMBERSHIP OF BOARD OF PLUMBING
13 EXAMINERS. There is created a Board of Plumbing Examiners consisting of
14 five members.

15 Sec. 08.85.020. QUALIFICATION OF BOARD MEMBERS. Each member of
16 the board shall be a citizen of the United States and a resident of the
17 state. Two members shall be qualified plumbing contractors with at
18 least 10 years practical experience; two members shall be qualified
19 plumbers with at least five years practical experience, and one member
20 shall be from the public at large.

21 Sec. 08.85.030. TERMS OF OFFICE. Board members shall hold office
22 for terms of three years. However, of the members first appointed, one
23 shall be appointed for a term of one year; two for two years; and two
24 for three years.

25 Sec. 08.85.040. DUTIES OF THE DEPARTMENT. (a) The department
26 shall:

27 (1) promulgate regulations establishing uniform criteria for
28 the certification of plumbers, apprentices and trainees;

29 (2) compile, once each year, a roster showing the name,

1 registration number and last known address of all registered plumbers;
2 the roster may be distributed or sold to the public;

3 (3) notify each applicant for examination the time and place
4 of examination at least 15 days before the examination.

5 ARTICLE 2. EXAMINATION AND CERTIFICATE.

6 Sec. 08.85.050. CERTIFICATE REQUIRED. No person may engage in the
7 trade of plumbing in the capacity of plumber without first having had
8 issued to him a valid plumber's certificate by the department.

9 Sec. 08.85.060. EXEMPTIONS. This chapter does not apply to:

10 (1) an authorized representative of the United States govern-
11 ment or the state;

12 (2) a person working on his own residential property, whether
13 occupied by him or not, which is not intended for sale at the time of
14 making the installation;

15 (3) an owner of commercial property doing maintenance and
16 repair work upon that property.

17 Sec. 08.85.070. QUALIFICATION FOR CERTIFICATE. An applicant shall
18 be issued a certificate to engage in the trade of plumber if he:

19 (1) is a citizen of the United States or is a resident alien
20 in the United States;

21 (2) can show proof of a minimum of two years as an apprentice
22 plumber in the state or a minimum of two years of continuous experience
23 in the trade of plumbing in the state; and

24 (3) has successfully completed an examination as certified by
25 the board.

26 Sec. 08.85.080. EXAMINATION WAIVER. The department may issue a
27 certificate to a person who submits an application, pays the required
28 fees, and who has been engaged in the trade of plumber in the state for
29 one year or more before January 1, 1975, and makes a satisfactory

1 showing of qualification to the department.

2 Sec. 08.85.090. REEXAMINATION. A person who fails to pass the
3 examination as prescribed by the board, may upon payment of an addi-
4 tional fee prescribed by the board, apply for reexamination after the
5 expiration of 30 days. If the applicant fails to pass the second time,
6 the board may refuse a third application for six months.

7 Sec. 08.85.100. FEES. (a) Every person applying for a plumber's
8 certificate shall pay to the Department of Commerce, at the time he
9 makes application, the sum of \$40.

10 (b) All certificates except certificates which have been canceled
11 or revoked, may be renewed upon request and payment of a renewal fee of
12 \$30. No certificate may be renewed more than one year after expiration
13 of the certificate without a reexamination.

14 Sec. 08.85.110. REVOCATION OF CERTIFICATE. (a) The board may
15 revoke a certificate upon finding that

- 16 (1) the application is fraudulent or misleading;
17 (2) the licensee has knowingly violated this chapter or a
18 lawful order or regulation of the board;
19 (3) the licensee is incompetent in matters relevant to his
20 certificate.

21 (b) Notice of proposed revocation of a certificate shall be given
22 in writing, stating the grounds.

23 (c) Proceedings for the revocation of a certificate shall be
24 governed by the Administrative Procedure Act (AS 44.62).

25 (d) If a person's certificate is revoked, another certificate may
26 not be granted to that person within 12 months of the date of revoca-
27 tion.

28 Sec. 08.85.120. CERTIFICATE NONTRANSFERABLE. Certificates are not
29 transferable from one person to another. The use of another's certifi-

1 cate with his knowledge is cause for revocation of the certificate.

2 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

3 Sec. 08.85.130. VIOLATION OF SEC. 50 OF THIS CHAPTER. A person
4 who violates sec. 50 of this chapter is guilty of a misdemeanor and upon
5 conviction is punishable by a fine of not more than \$1,000, or by im-
6 prisonment for not more than six months, or by both.

7 Sec. 08.85.140. FRAUDULENT CERTIFICATES. A person who obtains or
8 attempts to obtain a certificate by dishonest or fraudulent means, or
9 who forges, counterfeits or fraudulently alters a certificate, is
10 punishable by a fine of not more than \$1,000, or by imprisonment for not
11 more than six months, or by both.

12 ARTICLE 4. GENERAL PROVISIONS.

13 Sec. 08.85.150. DEFINITIONS. In this chapter

14 (1) "board" means the Board of Plumbing Examiners;

15 (2) "certificate" means a plumber's certificate of qualifica-
16 tion;

17 (3) "department" means the Department of Commerce;

18 (4) "plumber" means a qualified workman who has completed his
19 apprenticeship, supervises, engages in or works at the actual installa-
20 tion, alteration, repairs, and renovating of plumbing and who has suc-
21 cessfully fulfilled the examinations and requirements of the board.

22 * Sec. 2. AS 08 is amended by adding a new chapter to read:

23 CHAPTER 42. BOARD OF ELECTRICIAN EXAMINERS.

24 ARTICLE 1. BOARD OF ELECTRICIAN EXAMINERS.

25 Sec. 08.42.010. CREATION AND MEMBERSHIP OF BOARD OF ELECTRICIAN
26 EXAMINERS. There is created a Board of Electrician Examiners consisting
27 of five members.

28 Sec. 08.42.020. QUALIFICATION OF BOARD MEMBERS. Each member of
29 the board shall be a citizen of the United States and a resident of the

1 state. Two members shall be qualified electrical contractors with at
2 least 10 years practical experience; two members shall be qualified
3 electricians with at least five years practical experience, and one
4 member shall be from the public at large.

5 Sec. 08.42.030. TERMS OF OFFICE. Board members shall hold office
6 for terms of three years. However, of the members first appointed, one
7 shall be appointed for a term of one year; two for two years; and two
8 for three years.

9 Sec. 08.42.040. DUTIES OF THE DEPARTMENT. (a) The department
10 shall

11 (1) promulgate regulations establishing uniform criteria for
12 the certification of electricians, apprentices and trainees;

13 (2) compile, once each year, a roster showing the name,
14 registration number, and last known address of all registered elec-
15 tricians; the roster may be distributed or sold to the public;

16 (3) notify each applicant for examination of the time and
17 place of examination at least 15 days before the examination.

18 ARTICLE 2. EXAMINATION AND CERTIFICATE.

19 Sec. 08.42.050. CERTIFICATE REQUIRED. No person may engage in the
20 trade of an electrician in the capacity of electrician without first
21 having had issued to him a valid electrician's certificate by the
22 department.

23 Sec. 08.42.060. EXEMPTIONS. This chapter does not apply to

24 (1) an authorized representative of the United States govern-
25 ment or the state;

26 (2) a person working on his own residential property, whether
27 occupied by him or not, which is not intended for sale at the time of
28 making the installation;

29 (3) an owner of commercial property doing maintenance and

1 repair work upon that property.

2 Sec. 08.42.070. QUALIFICATION FOR CERTIFICATE. An applicant shall
3 be issued a certificate to engage in the trade of electrician if he

4 (1) is a citizen of the United States or is a resident alien
5 in the United States;

6 (2) can show proof of a minimum of two years as an apprentice
7 electrician in the state or a minimum of two years of continuous experi-
8 ence in the trade of an electrician in the state; and

9 (3) has successfully completed an examination as certified by
10 the board.

11 Sec. 08.42.080. EXAMINATION WAIVER. The department may issue a
12 certificate to a person who submits an application, pays the required
13 fees and who has been engaged in the trade of electrician in the state
14 for one year or more before January 1, 1975, and makes a satisfactory
15 showing of qualification to the department.

16 Sec. 08.42.090. REEXAMINATION. A person who fails to pass the
17 examination as prescribed by the board may, upon payment of an addi-
18 tional fee, prescribed by the board, apply for reexamination after the
19 expiration of 30 days. Should the applicant fail to pass the second
20 time, the board may refuse a third application for six months.

21 Sec. 08.42.100. FEES. (a) Every person applying for an elec-
22 trician's certificate shall pay to the Department of Commerce, at the
23 time he makes application, the sum of \$40.

24 (b) All certificates, except certificates which have been canceled
25 or revoked, may be renewed upon request and payment of a renewal fee of
26 \$30. No certificate may be renewed more than one year after expiration
27 of the certificate without a reexamination.

28 Sec. 08.42.110. REVOCATION OF CERTIFICATE. (a) The board may
29 revoke a certificate upon finding that

- 1 (1) the application is fraudulent or misleading;
2 (2) the licensee has knowingly violated this chapter or a
3 lawful order or regulation of the board;
4 (3) the licensee is incompetent in matters relevant to his
5 certificate.

6 (b) Notice of proposed revocation of a certificate shall be given
7 in writing, stating the grounds.

8 (c) Proceedings for the revocation of a certificate shall be
9 governed by the Administrative Procedure Act (AS 44.62).

10 (d) If a person's certificate is revoked, another certificate may
11 not be granted to that person within 12 months of the date of revocation.

12 Sec. 08.42.120. CERTIFICATE NONTRANSFERABLE. Certificates are not
13 transferable from one person to another. The use of another's certi-
14 ficate with his knowledge is cause for revocation of the certificate.

15 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

16 Sec. 08.42.130. VIOLATION OF SEC. 50 OF THIS CHAPTER. A person
17 who violates sec. 50 of this chapter is guilty of a misdemeanor and upon
18 conviction is punishable by a fine of not more than \$1,000, or by im-
19 prisonment for not more than six months, or by both.

20 Sec. 08.42.140. FRAUDULENT CERTIFICATES. A person who obtains or
21 attempts to obtain a certificate by dishonest or fraudulent means, or
22 who forges, counterfeits or fraudulently alters a certificate, is
23 punishable by a fine of not more than \$1,000, or by imprisonment for not
24 more than six months, or by both.

25 ARTICLE 4. GENERAL PROVISIONS.

26 Sec. 08.42.150. DEFINITIONS. In this chapter

- 27 (1) "board" means the Board of Electrician Examiners;
28 (2) "certificate" means an electrician's certificate of
29 qualification;

1 (3) "department" means the Department of Commerce;

2 (4) "electrician" means a qualified workman who labors at the
3 trade of installing, altering, repairing and renovating electrical
4 wiring and components and who has successfully fulfilled the examinations
5 and requirements of the board.

6 * Sec. 3. AS 08.01.010 is amended by adding new paragraphs to read:

7 (20) Board of Electrician Examiners

8 (21) Board of Plumbing Examiners

9 * Sec. 4. AS 18.62 is repealed.

10 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
11 070(c).