

Original sponsor: McKinnon

Offered: 5/16/75  
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 174 (Commerce)

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 and apprentices;

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 this state or in a state in which the require-  
24 ments for practicing the trade of plumbing are at least as strict and in  
25 which a like certificate is required; and

26 (3) has successfully completed an examination as certificated  
27 by the board.

28 Sec. 08.85.080. EXAMINATION WAIVER. The department may issue a  
29 certificate to a person who submits an application, pays the required

1 fees, and who has been engaged in the trade of plumber in the state for  
2 two years or more before January 1, 1975, and makes a satisfactory  
3 showing of qualification to the department.

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

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

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

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

18 (1) the application is fraudulent or misleading;

19 (2) the licensee has knowingly violated this chapter or a  
20 lawful order or regulation of the board;

21 (3) the licensee is incompetent in matters relevant to his  
22 certificate.

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

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

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

1           Sec. 08.85.120. CERTIFICATE NONTRANSFERABLE. Certificates are not  
2 transferable from one person to another. The use of another's certifi-  
3 cate with his knowledge is cause for revocation of the certificate.

4                   ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

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

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

14                   ARTICLE 4. GENERAL PROVISIONS.

15           Sec. 08.85.150. DEFINITIONS. In this chapter

16                   (1) "apprentice" means a person who labors at the trade of  
17 plumbing as an employee, under the direct supervision and in the immedi-  
18 ate presence of a certified plumber;

19                   (2) "board" means the Board of Plumbing Examiners;

20                   (3) "certificate" means a plumber's certificate of qualifica-  
21 tion;

22                   (4) "department" means the Department of Commerce;

23                   (5) "plumber" means a qualified workman who has completed his  
24 apprenticeship, supervises, engages in or works at the actual installa-  
25 tion, alteration, repairs, and renovating of plumbing and who has suc-  
26 cessfully fulfilled the examinations and requirements of the board.

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

28                   CHAPTER 42. BOARD OF ELECTRICIAN EXAMINERS.

29                   ARTICLE 1. BOARD OF ELECTRICIAN EXAMINERS.

1           Sec. 08.42.010. CREATION AND MEMBERSHIP OF BOARD OF ELECTRICIAN  
2 EXAMINERS. There is created a Board of Electrician Examiners consisting  
3 of five members.

4           Sec. 08.42.020. QUALIFICATION OF BOARD MEMBERS. Each member of  
5 the board shall be a citizen of the United States and a resident of the  
6 state. Two members shall be qualified electrical contractors with at  
7 least 10 years practical experience; two members shall be qualified  
8 electricians with at least five years practical experience, and one  
9 member shall be from the public at large.

10          Sec. 08.42.030. TERMS OF OFFICE. Board members shall hold office  
11 for terms of three years. However, of the members first appointed, one  
12 shall be appointed for a term of one year; two for two years; and two  
13 for three years.

14          Sec. 08.42.040. DUTIES OF THE DEPARTMENT. (a) The department  
15 shall

16           (1) promulgate regulations establishing uniform criteria for  
17 the certification of electricians and apprentices;

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

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

23           ARTICLE 2. EXAMINATION AND CERTIFICATE.

24          Sec. 08.42.050. CERTIFICATE REQUIRED. No person may engage in the  
25 trade of an electrician in the capacity of electrician without first  
26 having had issued to him a valid electrician's certificate by the  
27 department.

28          Sec. 08.42.060. EXEMPTIONS. This chapter does not apply to  
29

(1) an authorized representative of the United States govern-

1 ment or the state;

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

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

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

9 (1) is a citizen of the United States or is a resident alien  
10 in the United States;

11 (2) can show proof of a minimum of two years as an apprentice  
12 electrician in the state or a minimum of two years of continuous experi-  
13 ence in the trade of an electrician in this state or in a state in which  
14 the requirements for practicing the trade of electrician are at least as  
15 strict and in which a like certificate is required; and

16 (3) has successfully completed an examination as certified by  
17 the board.

18 Sec. 08.42.080. EXAMINATION WAIVER. The department may issue a  
19 certificate to a person who submits an application, pays the required  
20 fees and who has been engaged in the trade of electrician in the state  
21 for two years or more before January 1, 1975, and makes a satisfactory  
22 showing of qualification to the department.

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

28 Sec. 08.42.100. FEES. (a) Every person applying for an elec-  
29 trician's certificate shall pay to the Department of Commerce, at the

1 time he makes application, the sum of \$40.

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

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

8 (1) the application is fraudulent or misleading;

9 (2) the licensee has knowingly violated this chapter or a  
10 lawful order or regulation of the board;

11 (3) the licensee is incompetent in matters relevant to his  
12 certificate.

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

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

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

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

22 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

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

27 Sec. 08.42.140. FRAUDULENT CERTIFICATES. A person who obtains or  
28 attempts to obtain a certificate by dishonest or fraudulent means, or  
29 who forges, counterfeits or fraudulently alters a certificate, is

1 punishable by a fine of not more than \$1,000, or by imprisonment for not  
2 more than six months, or by both.

3 ARTICLE 4. GENERAL PROVISIONS.

4 Sec. 08.42.150. DEFINITIONS. In this chapter

5 (1) "apprentice" means a person who labors at the trade of an  
6 electrician as an employee, under the direct supervision and in the  
7 immediate presence of a certified electrician;

8 (2) "board" means the Board of Electrician Examiners;

9 (3) "certificate" means an electrician's certificate of  
10 qualification;

11 (4) "department" means the Department of Commerce;

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

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

17 (20) Board of Electrician Examiners

18 (21) Board of Plumbing Examiners

19 \* Sec. 4. AS 18.62 is repealed.

20 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-

21 070(c).  
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