

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) am
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 laboring himself on his own residential property,
13 whether occupied by him or not;

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

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

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

20 (2) can show proof of a minimum of two years as an apprentice
21 plumber in the state or a minimum of two years of continuous experience
22 in the trade of plumbing in this state or in a state in which the require-
23 ments for practicing the trade of plumbing are at least as strict and in
24 which a like certificate is required; and

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

27 Sec. 08.85.080. EXAMINATION WAIVER. The department may issue a
28 certificate to a person who submits an application, pays the required
29 fees, and who has been engaged in the trade of plumber in the state for

1 two years or more before January 1, 1975, and makes a satisfactory
2 showing of qualification to the department.

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

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

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

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

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

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

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

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

29 Sec. 08.85.120. CERTIFICATE NONTRANSFERABLE. Certificates are not

1 transferable from one person to another. The use of another's certifi-
2 cate with his knowledge is cause for revocation of the certificate.

3 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

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

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

13 ARTICLE 4. GENERAL PROVISIONS.

14 Sec. 08.85.150. DEFINITIONS. In this chapter

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

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

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

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

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

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

27 CHAPTER 42. BOARD OF ELECTRICIAN EXAMINERS.

28 ARTICLE 1. BOARD OF ELECTRICIAN EXAMINERS.

29 Sec. 08.42.010. CREATION AND MEMBERSHIP OF BOARD OF ELECTRICIAN

1 EXAMINERS. There is created a Board of Electrician Examiners consisting
2 of five members.

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

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

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

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

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

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

22 ARTICLE 2. EXAMINATION AND CERTIFICATE.

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

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

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

1 (2) a person laboring himself on his own residential property,
2 whether occupied by him or not;

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

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

7 (1) is a citizen of the United States or is a resident alien
8 in the United States;

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

14 (3) has successfully completed an examination as certified by
15 the board.

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

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

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

29 (b) All certificates, except certificates which have been canceled

1 or revoked, may be renewed upon request and payment of a renewal fee of
2 \$30. No certificate may be renewed more than two years after expiration
3 of the certificate without a reexamination.

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

6 (1) the application is fraudulent or misleading;

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

9 (3) the licensee is incompetent in matters relevant to his
10 certificate.

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

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

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

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

20 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

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

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

1 ARTICLE 4. GENERAL PROVISIONS.

2 Sec. 08.42.150. DEFINITIONS. In this chapter

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

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

7 (3) "certificate" means an electrician's certificate of
8 qualification;

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

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

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

15 (20) Board of Electrician Examiners

16 (21) Board of Plumbing Examiners

17 * Sec. 4. AS 18.62 is repealed.

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

19 070(c).