

Introduced: 1/14/76
Referred: Labor & Management
and Commerce

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 555

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to construction contractors."

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

8 * Section 1. AS 08.18.011 is amended to read:

9 Sec. 08.18.011. REGISTRATION REQUIRED. It is unlawful for a
10 person to submit a bid or work as a contractor until he has been
11 issued a certificate of registration by the department [DEPARTMENT OF
12 COMMERCE]. A partnership or joint venture shall be considered regis-
13 tered if one of the general partners or venturers whose name appears
14 in the name under which the partnership or venture does business is
15 registered.

16 * Sec. 2. AS 08.18.031 is amended to read:

17 Sec. 08.18.031. CERTIFICATE OF REGISTRATION--ISSUANCE, DURATION,
18 RENEWAL. A certificate of registration expires on December 31 [JUNE 30]
19 of each year following the date of issuance or renewal and shall be
20 renewed under the same requirements as for an original registration.
21 The commissioner shall issue to the applicant a certificate of regis-
22 tration upon compliance with the registration requirements of this
23 chapter.

24 * Sec. 3. AS 08.18.051 is amended by adding a new subsection to read:

25 (b) A partnership or joint venture considered registered under
26 sec. 11 of this chapter shall, within 20 days after the time of forma-
27 tion, report to the department the names and addresses of the partners
28 or venturers. Any change in a name or address of a partner or venturer
29 shall be reported to the department within 20 days after the change.

1 * Sec. 4. AS 08.18.071 is amended by adding a new subsection to read:

2 (c) The bond required by this section remains in effect until
3 cancelled by action of the surety, the principal or the commissioner.
4 No action may be initiated upon the bond later than two years after
5 its cancellation.

6 * Sec. 5. AS 08.18.121(f) is amended to read:

7 (f) If the commissioner [OF LABOR] determines that a person is
8 acting as a contractor in violation of this chapter, he shall give
9 written notice prohibiting further action by the person as a contractor.
10 The prohibition continues until the person has submitted evidence
11 acceptable to the commissioner [OF LABOR] showing that the violation
12 has been corrected.

13 * Sec. 6. AS 08.18.121(g) is amended to read:

14 (g) A person affected by an order issued under this chapter may
15 seek equitable relief preventing the commissioner [OF LABOR] from
16 enforcing the order.

17 * Sec. 7. AS 08.18.131 is amended to read:

18 Sec. 08.18.131. INJUNCTION. In an action instituted in the
19 superior court by the commissioner [OF LABOR] or his representative,
20 a person acting in the capacity of a contractor in violation of this
21 chapter may be enjoined from doing so.

22 * Sec. 8. AS 08.18.171(1) is amended to read:

23 (1) "commissioner," [UNLESS THE TEXT READS OTHERWISE,]
24 means the commissioner of the Department of Commerce and Economic De-
25 velopment;.

26 * Sec. 9. AS 08.18.171 is amended by adding a new paragraph to read:

27 (3) "department" means the Department of Commerce and
28 Economic Development.

29 * Sec. 10. Persons registered under AS 08.18 as of the effective date

1 of this Act shall comply with the reporting requirements of AS 08.18.051(b),
2 enacted in sec. 3, within 60 days after the effective date of this Act.

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