

Introduced: 2/20/75
Referred: Labor and Management

1 IN THE SENATE

BY WILLIS, RODEY AND CROFT

2 SENATE BILL NO. 191

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Board of Electrician Examiners."

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

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

9 CHAPTER 11. BOARD OF ELECTRICIAN EXAMINERS.

10 ARTICLE 1. BOARD OF ELECTRICIAN EXAMINERS.

11 Sec. 08.11.010. CREATION AND MEMBERSHIP OF BOARD OF ELECTRICIAN
12 EXAMINERS. There is created a Board of Electrician Examiners consisting
13 of five members.

14 Sec. 08.11.020. QUALIFICATION OF BOARD MEMBERS. Each member of
15 the board shall be a citizen of the United States and a resident of the
16 state. Two members shall be qualified electrical contractors with at
17 least 10 years practical experience; two members shall be qualified
18 journeymen electricians with at least five years practical experience,
19 and one member shall be from the public at large.

20 Sec. 08.11.030. APPOINTMENT AND TERM OF OFFICE. Board members
21 are appointed and serve at the pleasure of the governor. Board members
22 shall hold office for terms of three years. However, of the members
23 first appointed, one shall be appointed for a term of one year; two for
24 two years; and two for three years.

25 Sec. 08.11.040. MEETINGS. The board shall meet at least once
26 each year.

27 Sec. 08.11.050. POWERS AND DUTIES. (a) The board shall

28 (1) promulgate regulations to establish uniform criteria for
29 the licensing of electricians;

1 (2) develop, designate, and administer examinations to
2 determine the competency and knowledge of persons doing electrical
3 work;

4 (3) issue a certificate to persons who successfully complete
5 designated examinations.

6 (b) The board shall compile, once each year, a roster showing the
7 name, registration number, and last known address of all registered
8 electricians. The roster shall be placed on file with the lieutenant
9 governor and upon request may be distributed or sold to the public.

10 (c) It shall be the duty of the board to notify each applicant
11 for examination of the time and place of examination at least 15 days
12 before the examination.

13 Sec. 08.11.060. POWER OF BOARD TO ADOPT SEAL. The board shall
14 adopt a seal and affix it to all certificates issued.

15 Sec. 08.11.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
16 The board shall comply with the Administrative Procedure Act (AS 44.62).

17 ARTICLE 2. EXAMINATION AND CERTIFICATE.

18 Sec. 08.11.080. CERTIFICATE REQUIRED. No person may engage in
19 the trade of an electrician in the capacity of journeyman electrician
20 without first having had issued to him a valid journeyman electrician's
21 certificate by the Board of Electrician Examiners.

22 Sec. 08.11.090. EXEMPTIONS. This chapter does not apply to

23 (1) an authorized representative of the United States
24 government or the state;

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

28 (3) an owner of commercial property who uses his own em-
29 ployees to do maintenance, repair and alteration work upon that property;

1 (4) a person performing construction work incidental to
2 farming, dairying, agriculture, horticulture, stock and poultry raising,
3 mining, logging, or fishing, providing the electrical installations are
4 made to conform with the recommendations of the appropriate state
5 building codes.

6 Sec. 08.11.100. APPLICATION FOR CERTIFICATE. A person who is
7 required by sec. 80 of this chapter to possess an electrician's certi-
8 ficate shall make application on a form prescribed by the board.

9 Sec. 08.11.110. QUALIFICATION FOR CERTIFICATE. An applicant
10 shall be issued a certificate to engage in the trade of journeyman
11 electrician if he

12 (1) is a citizen of the United States or is a resident alien
13 in the United States who intends to become a citizen of the United
14 States;

15 (2) is of good moral character;

16 (3) can show proof of a minimum of five years as an apprentice
17 electrician or a minimum of five years of continuous experience in the
18 trade of an electrician; and

19 (4) has successfully completed an examination as certified
20 by the board.

21 Sec. 08.11.120. CHARACTER OF EXAMINATION. The board shall deter-
22 mine the character and extent of the examinations.

23 Sec. 08.11.130. EXAMINATION WAIVER. The board may issue a certi-
24 ficate to any person who submits an application, pays the required
25 fees, and possesses and presents to the board a valid journeyman elec-
26 trician's certificate of competency issued to him by an electrician's
27 examining agency giving an examination, the scope and character of which,
28 in the opinion of the board, is at least equal to that given by the
29 Board of Electrician Examiners.

1 Sec. 08.11.140. REEXAMINATION. A person who fails to pass the
2 examination as prescribed by the board may, upon payment of an addi-
3 tional fee prescribed by the board, apply for reexamination after the
4 expiration of 30 days. Should the applicant fail to pass the second
5 time, the board may refuse a third application for six months.

6 Sec. 08.11.150. EXPIRATION OF CERTIFICATE. Every certificate
7 shall remain in force and effect until its expiration date unless
8 canceled or revoked. Certificates shall expire biennially on a date
9 set by the Department of Commerce. Notice at least 60 days before
10 expiration of a certificate shall be given to each certificate holder
11 by sending a notice of expiration to his last known address.

12 Sec. 08.11.160. FEES. (a) Every person applying for an elec-
13 trician's certificate shall pay to the Department of Commerce, at the
14 time he makes application, the sum of \$40.

15 (b) All certificates, except certificates which have been canceled
16 or revoked, may be renewed upon request and payment of the required
17 fee. If a renewal of a certificate is requested and the required fee
18 is paid within 30 days of the expiration date of the certificate, the
19 renewal fee is \$20. If a renewal is requested and the required fee
20 is paid more than 30 days but less than 90 days after the expiration
21 date of the certificate, the renewal fee is \$40. No certificate may
22 be renewed more than 90 days after expiration of the certificate.

23 Sec. 08.11.170. REVOCATION OF CERTIFICATE. (a) The board may
24 revoke a certificate upon finding that

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

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

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

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

8 Sec. 08.11.180. CERTIFICATE NONTRANSFERABLE. Certificates are
9 not transferable from one person to another. The use of another's
10 certificate with his knowledge is cause for revocation of the certi-
11 ficate.

12 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

13 Sec. 08.11.210. VIOLATION OF SEC. 80 OF THIS CHAPTER. A person
14 who violates sec. 80 of this chapter is guilty of a misdemeanor and
15 upon conviction is punishable by a fine of not more than \$1,000, or
16 by imprisonment for not more than six months, or by both.

17 Sec. 08.11.220. FRAUDULENT CERTIFICATES. A person who obtains
18 or attempts to obtain a certificate by dishonest or fraudulent means,
19 or who forges, counterfeits or fraudulently alters a certificate, is
20 punishable by a fine of not more than \$1,000, or by imprisonment for
21 not more than six months, or by both.

22 ARTICLE 4. GENERAL PROVISIONS.

23 Sec. 08.11.230. DEFINITIONS. In this chapter

24 (1) "board" means the Board of Electrician Examiners;

25 (2) "certificate" means an electrician's certificate of
26 qualification;

27 (3) "electrician" means a qualified workman who has com-
28 pleted his apprenticeship, supervises, engages in, or works at the
29 actual installation, alteration, repairs, and renovating of electrical

1 wiring and components and who has successfully fulfilled the examina-
2 tions and requirements of the board.

3 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

4 (20) Board of Electrician Examiners.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29