

Introduced: 5/1/79
Referred: Commerce
and Judiciary

1 IN THE SENATE

BY BRADLEY

2 SENATE BILL NO. 284

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: An Act relating to construction contractors; and pro-
7 viding for an effective date."

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

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

10 Sec. 08.18.011. REGISTRATION REQUIRED. It is unlawful for a
11 person to submit a bid or work as a contractor until he has been issued
12 a certificate of registration by the department [DEPARTMENT OF COMMERCE].
13 A partnership or joint venture shall be considered registered if one of
14 the general partners or venturers whose name appears in the name under
15 which the partnership or venture does business is 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 that is considered registered
26 under AS 08.18.011 shall, within 20 days after the date of formation,
27 report to the department the names and addresses of the partners or
28 venturers. A change in a name or address of a partner or venturer shall
29 be reported to the department within 20 days after the change.

1 * Sec. 4. AS 08.18.121(f) is amended to read:

2 (f) If the commissioner [OF LABOR] determines that a person is
3 acting as a contractor in violation of this chapter, he shall give
4 written notice prohibiting further action by the person as a contractor.
5 The prohibition continues until the person has submitted evidence accept-
6 able to the commissioner [OF LABOR] showing that the violation has been
7 corrected.

8 * Sec. 5. AS 08.18.121(g) is amended to read:

9 (g) A person affected by an order issued under this chapter may
10 seek equitable relief preventing the commissioner [OF LABOR] from en-
11 forcing the order.

12 * Sec. 6. AS 08.18.131 is amended to read:

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

17 * Sec. 7. AS 08.18.141 is repealed and re-enacted to read:

18 Sec. 08.18.141. PENALTIES. A person, including an officer, agent,
19 or employee of a corporation who violates or aids in the violation of a
20 provision of this chapter or who fails to comply with an order, decision,
21 or regulation issued by the commissioner is guilty of a misdemeanor and
22 upon conviction is punishable by a fine of not more than \$1,000. Each
23 day's violation of this chapter or of the terms or conditions of an
24 order, decision, or regulation is a separate offense.

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

26 (1) "commissioner" ["COMMISSIONER," UNLESS THE TEXT READS
27 OTHERWISE,] means the commissioner of the Department of Commerce and
28 Economic Development;

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

1 (3) "department" means the Department of Commerce and Economic
2 Development.

3 * Sec. 10. Persons registered under AS 08.18 as of the effective date of
4 this Act shall comply with the reporting requirements of AS 08.18.051(b),
5 enacted in sec. 3 of this Act within 60 days after the effective date of this
6 Act.

7 * Sec. 11. This Act takes effect July 1, 1980.

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