

Introduced: 2/12/86  
Referred: Labor & Commerce  
and Finance

1 IN THE HOUSE

BY MARROU

2

HOUSE BILL NO. 565

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to licensing of electrical adminis-  
7 trators; and providing for an effective date."

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

9 \* Section 1. AS 08.40.045 is amended to read:

10 Sec. 08.40.045. CATEGORIES OF LICENSES. The department [BOARD]  
11 may adopt regulations establishing categories of electrical adminis-  
12 trators, establishing qualifications for those categories and the  
13 content of examinations for applicants for each category.

14 \* Sec. 2. AS 08.40.050 is amended to read:

15 Sec. 08.40.050. REGULATIONS. The department [BOARD] shall adopt  
16 regulations subject to the Administrative Procedure Act (AS 44.62),  
17 relating to the examination and licensing of electrical administra-  
18 tors, the establishing of the continued competency of an applicant for  
19 license renewal and reinstatement, and the suspension or revocation of  
20 licenses.

21 \* Sec. 3. AS 08.40.060 is amended to read:

22 Sec. 08.40.060. EXAMINATIONS. A licensing examination, under  
23 the supervision of the department [CHAIRMAN OF THE BOARD OR THE CHAIR-  
24 MAN'S DESIGNEE], shall be conducted at least twice during each year at  
25 appropriate places in the state.

26 \* Sec. 4. AS 08.40.070 is amended to read:

27 Sec. 08.40.070. INSPECTION OR INVESTIGATION BY DEPARTMENT  
28 [BOARD]. The department [BOARD] may make or have made a special  
29 inspection or investigation into the work of a licensee which it

1 considers necessary, may issue subpoenas and process compelling the  
2 attendance of any person and the production of any papers or books,  
3 for the purpose of the investigation and examination, may administer  
4 oaths when required, and may petition a court of the state to enforce  
5 subpoenas and process or to compel testimony.

6 \* Sec. 5. AS 08.40.090(a) is amended to read:

7 (a) A person may not act as an electrical administrator in the  
8 state without a license issued by the department [BOARD].

9 \* Sec. 6. AS 08.40.110 is amended to read:

10 Sec. 08.40.110. APPLICATION FOR LICENSE. An applicant for a  
11 license shall apply upon a form prescribed by the department [BOARD].

12 \* Sec. 7. AS 08.40.120(b) is amended to read:

13 (b) If an applicant for a license submits proof satisfactory to  
14 the department [BOARD] that the applicant is licensed as an electrical  
15 administrator or the equivalent by another state or territory, that  
16 the applicant meets qualifications established by the department  
17 [BOARD] under AS 08.40.045, and that the applicant has passed an  
18 examination equivalent to the test administered under (a) of this  
19 section except insofar as that examination tests knowledge and skill  
20 particularly required to meet the environment and usages of the trade  
21 peculiar to Alaska, the department [BOARD] shall waive all of the  
22 examination required under (a) of this section except those parts  
23 which test knowledge and skill particularly required to meet the  
24 environment and usages of the trade peculiar to Alaska.

25 \* Sec. 8. AS 08.40.135(b) is repealed and reenacted to read:

26 (b) A lapsed license may be reinstated upon proof of continued  
27 competency by payment of all unpaid renewal fees and any penalty fee  
28 established by the department, unless the license has been lapsed for  
29 more than two years. If a person's license has been lapsed for more

1 than two years, the person is required to take an examination under  
2 AS 08.40.120.

3 \* Sec. 9. AS 08.40.150 is repealed and reenacted to read:

4 Sec. 08.40.150. FEES. Each applicant and each licensee shall  
5 pay application and renewal fees established by regulations adopted by  
6 the department.

7 \* Sec. 10. AS 08.40.170(a) is amended to read:

8 (a) The department [BOARD] may suspend, revoke, or refuse to  
9 grant a license upon a finding that

10 (1) the application is fraudulent or misleading;

11 (2) the licensee has knowingly violated this chapter or a  
12 lawful rule, order, or regulation of the department [BOARD];

13 (3) the licensee is incompetent, or has engaged in fraudu-  
14 lent practices.

15 \* Sec. 11. AS 08.40.180 is amended to read:

16 Sec. 08.40.180. VIOLATION OF CHAPTER. A person who knowingly  
17 violates this chapter, or who knowingly violates a valid [RULE,] regu-  
18 lation or order of the department [BOARD], is guilty of a misdemeanor,  
19 and upon conviction is punishable by a fine of not more than \$300, or  
20 by imprisonment for not more than 60 days, or by both.

21 \* Sec. 12. AS 08.40.190(c) is amended to read:

22 (c) Work within the exclusionary provisions of this section is  
23 nevertheless subject to the inspection provisions of AS 08.40.070 and  
24 must follow the regulations regarding workmanship adopted by the  
25 department [BOARD].

26 \* Sec. 13. AS 08.40.200(1) is repealed and reenacted to read:

27 (1) "department" means the Department of Labor;

28 \* Sec. 14. AS 08.01.010(4); AS 08.03.010(c)(14); AS 08.40.010, 08.40.-  
29 020, 08.40.030, 08.40.040, 08.40.080 and secs. 24 and 25, ch. 37, SLA 1985

1 are repealed.

2 \* Sec. 15. Notwithstanding AS 08.03.020, the Board of Electrical Exam-  
3 iners does not continue in existence beyond June 30, 1986, and may not  
4 continue any activities after June 30, 1986.

5 \* Sec. 16. Litigation, hearings, investigations, and other proceedings  
6 pending under a law amended or repealed by this Act, or in connection with  
7 functions transferred by this Act, continue in effect and may be continued  
8 and completed by the Department of Labor notwithstanding a transfer or  
9 amendment or repeal provided for in this Act. Licenses, orders, and regu-  
10 lations issued or adopted under authority of a law amended or repealed by  
11 this Act remain in effect for the term issued, or until revoked, vacated,  
12 or otherwise modified under the provisions of this Act. Contracts, rights,  
13 liabilities, and obligations created by or under a law amended or repealed  
14 by this Act, and in effect on the effective date of this Act, remain in  
15 effect notwithstanding this Act's taking effect.

16 \* Sec. 17. This Act takes effect July 1, 1986.