

Offered: 1/20/86
Referred: Judiciary

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 194 (Resources)
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 certification of water and waste-
7 water systems and facilities operators: and providing
8 for an effective date."

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

10 * Section 1. AS 46.30.060 is amended to read:

11 Sec. 46.30.060. CERTIFICATION. The department shall issue
12 certification entitling those persons who successfully complete the
13 required examinations to supervise the operation of potable water
14 supply and wastewater systems and facilities after considering the
15 recommendations of the advisory board. The certificate will designate
16 the class of system for which the operator is qualified in accordance
17 with the classification system of the department. The certificate
18 shall be valid for three years unless revoked for cause or [,] re-
19 placed by one of a higher grade [, OR THE OPERATOR FOR A CONTINUOUS
20 PERIOD OF ONE YEAR HAS NOT BEEN ACTIVELY ENGAGED IN THE DUTIES AU-
21 THORIZED BY THE CERTIFICATE. AN OPERATOR WHOSE CERTIFICATE HAS BEEN
22 INVALIDATED FOR NOT HAVING BEEN ACTIVELY ENGAGED IN THE DUTIES AU-
23 THORIZED MAY BE ISSUED A NEW CERTIFICATE UPON PROOF OF COMPETENCY AS
24 PRESCRIBED BY REGULATIONS].

25 * Sec. 2. FINDINGS. The legislature finds that

26 (1) the version of 18 AAC 74.030 that took effect August 21,
27 1978 erroneously authorized certification without examination for water and
28 wastewater systems and facilities applicants who

29 (A) were employed as operators on September 24, 1978; or

1 (B) held a valid certificate issued under the Alaska Water
2 Management Association voluntary certification program on or
3 before September 24, 1978;

4 (2) the individuals so certified, and who have relied upon the
5 erroneous regulation, would be harmed if their certification were revoked
6 upon the correction of the regulation; and

7 (3) the individuals so certified have competently performed
8 their duties, and and pose no threat to the safe and efficient operation of
9 water and wastewater treatment facilities.

10 * Sec. 3. VALIDITY OF CERTIFICATES. Water and wastewater systems and
11 facilities certificates issued before January 1, 1985, under the erroneous
12 authority of the version of 18 AAC 74.030(1) and (2) that took effect
13 August 21, 1978 are considered to have been validly issued.

14 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).