

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 75 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to construction contractor licensing
7 requirements; and providing for an effective date."

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

9 * Section 1. AS 08.18 is amended by adding a new section to read:

10 Sec. 08.18.024. SPECIALTY CONTRACTORS. The department may
11 authorize the limited use of specific construction techniques or
12 materials that are defined by the department as part of one specialty
13 trade by a specialty contractor licensed in a different specialty
14 trade if those construction techniques or materials are a small but
15 inseparable part of what is required to complete that specialty con-
16 tractor's work.

17 * Sec. 2. AS 08.18.101 is amended to read:

18 Sec. 08.18.101. INSURANCE REQUIRED. Each applicant, at the time
19 of applying for registration or upon renewal of registration, shall
20 file with the commissioner satisfactory evidence that the applicant
21 has in effect

22 (1) to the extent required under AS 23.30, workers' compen-
23 sation insurance that is purchased from a private insurer who is
24 admitted to do business in the state and that shows coverage in this
25 state, appropriate employee classifications, and rates applicable in
26 this state, or a valid workers' compensation self-insurance certifi-
27 cate issued by the Alaska Workers' Compensation Board; and

28 (2) public liability and property damage insurance covering
29 the applicant's contracting operations in this state in the sum of not

1 less than \$20,000 for damage to property, \$50,000 for injury, includ-
2 ing death, to any one person and \$100,000 for injury, including death,
3 to more than one person.

4 * Sec. 3. AS 08.18.161 is amended to read:

5 Sec. 08.18.161. EXEMPTIONS. This chapter does not apply to:

6 (1) an authorized representative of the United States
7 government, the State of Alaska, or a political subdivision or agency
8 of the state;

9 (2) an officer of a court when acting within the scope of
10 office;

11 (3) a public utility operating under the regulations of the
12 public service commission in construction, maintenance, or development
13 work incidental to its own business;

14 (4) a construction, repair, or operation incidental to the
15 discovering or producing of petroleum or gas, or the drilling, test-
16 ing, abandoning, or other operation of a petroleum or gas well or a
17 surface or underground mine or mineral deposit when performed by an
18 owner or lessee;

19 (5) the sale or installation of finished products, mate-
20 rials, or articles of merchandise which are not actually fabricated
21 into and do not become a permanent, fixed part of a structure;

22 (6) construction, alteration, or repair of personal
23 property;

24 (7) [CONSTRUCTION, ALTERATION, OR REPAIR CARRIED ON WITHIN
25 THE BOUNDARIES OF A SITE UNDER LEGAL JURISDICTION OF THE FEDERAL
26 GOVERNMENT;

27 (8)] a person who only furnished materials, supplies, or
28 equipment without fabricating them into, or consuming them in the
29 performance of, the work of the contractor;

1 (8) [(9)] work on one project under one or more contracts,
2 the aggregate contract price of which for labor and materials and all
3 other items is less than \$10,000, this work being considered as of a
4 casual, minor, or inconsequential nature; this exemption does not
5 apply when the work is only a part of a larger or major operation,
6 whether undertaken by the same or a different contractor, or when the
7 work is divided into contracts of amounts less than \$10,000 for the
8 purpose of evasion of this chapter or otherwise; this exemption does
9 not apply to a person who advertises or puts out a sign or card or
10 other device which might indicate to the public that the person is a
11 contractor, or that the person is qualified to engage in the contract-
12 ing business; a contractor who performs work priced at \$2,500 or more,
13 under this exemption, shall nevertheless keep in force public liabil-
14 ity and property damage insurance with coverage in at least the
15 amounts set out in AS 08.18.101;

16 (9) [(10)] an owner who contracts for a project with a
17 registered contractor;

18 (10) [(11)] a person working on that person's own property,
19 whether occupied by the person or not, and a person working on that
20 person's own residence, whether owned by the person or not;

21 (11) [(12)] an owner or tenant of commercial property who
22 uses the owner's or tenant's own employees to do maintenance, repair,
23 and alteration work upon that property;

24 (12) [(13)] an owner who acts as the owner's own contractor
25 and in doing so hires workers on an hourly basis, hires subcontractors,
26 purchases materials and, as such, sees to the paying for all
27 labor, subcontractors, and materials; in this case, the owner shall be
28 limited to construction of one home, duplex, triplex, four-plex, or
29 one commercial building per year;

1 (13) [(14)] a person performing construction work incidental
2 to farming, dairying, agriculture, horticulture, stock or poultry
3 raising, mining, logging, fishing, clearing, or other work upon the
4 land in rural districts for fire prevention purposes, or access road
5 building, unless the person is a licensee.

6 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).